

**CITY COUNCIL “HYBRID”**

**MEETING AGENDA**

**March 14, 2022**

**City Council Meeting 7:30 pm**

**LOCATION: City Council Chambers, City Hall**

**60 Pleasant Street, Newburyport**

Zoom details:

<https://us02web.zoom.us/j/81299990548>

Or One tap mobile:

US: +19292056099,81299990548#

Or Telephone:

US: +1 929 205 6099

Webinar ID: 812 9999 0548

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE**
- 5. PUBLIC COMMENT**
- 6. MAYOR'S COMMENT**

**CONSENT AGENDA**

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

**7. APPROVAL OF MINUTES**

- February 28, 2022

(Approve)

**8. COMMUNICATIONS**

- COMM00393\_03\_14\_2022 Merrimack Valley Planning Comm. FY23 City Financial Requirements (R&F)
- COMM00395\_03\_14\_2022 St. & Sidewalk Repair Plan (N&CS)
- COMM00396\_03\_14\_2022 Ltr. Stephen Comley (PS)
- COMM00397\_03\_14\_2022 Laura Vlasuk Health Director (R&F)

**9. TRANSFERS**

- TRAN00122\_03\_14\_2022 General Fund Free Cash \$250,000 to  
Compensated Absences Reserve Fund \$250,000 (B&F)

**10. APPOINTMENTS**

- APPT00304\_03\_14\_2022 Heidi Newfell 10 Orange St. Cultural Council 3/31/2025
- Re-Appointment
- APPT00305\_03\_14\_2022 Dan Mello 2 B Fulton St. Waterfront Trust 3/31/2027 (P&D)
- APPT00306\_03\_14\_2022 Richard Yeager 19 Water St. #2 Planning Board 3/31/2027 (P&D)
- APPT00307\_03\_14\_2022 Sophie Korpics 26 Dove St. Comm. On Disabilities 3/31/2025

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA

**AD HOC COMMITTEE ON ECONOMIC DEVELOPMENT**

- ODNC098\_10\_12\_2021 Permanent Parklets Legislation

**NEIGHBORHOOD & CITY SERVICES**

- ODNC00106\_02\_14\_2022 CH2 COA Ordinance Amendment

**PLANNING & DEVELOPMENT**

- APPT00301\_02\_28\_2022 Jamie Pennington 8 Buck St. Planning Board 3/1/2027
- APPT00302\_02\_28\_2022 Andrew F. Bernhardt 35 Oakland St. Historical Comm. 3/1/2025

**PUBLIC SAFETY**

- ODNC00107\_02\_28\_2022 15 Minute Parking Spaces
- ORDR00321\_02\_28\_2022 An Act Authorizing the Continued Employment of Officer Vorderis
- ORDR00323\_02\_28\_2022 Route 1 Speed Limit

**RULES**

- ORDR00316\_01\_10\_2022 Amended City Council Rules 2022
- ODNC00108\_02\_28\_2022 City Council Meeting Start Time to 7 pm

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**9. MAYOR'S UPDATE**

**10. FIRST READING APPOINTMENTS**

**11. COMMUNICATIONS**

**12. TRANSFERS**

**13. SECOND READING APPOINTMENTS**

**14. ORDERS**

- ORDR00322\_02\_28\_2022 Licensed Contractor Boston North Development Excavation Services LLC (TABLED)
- ORDR00324\_03\_14\_2022 Ad Hoc on Adaptive Reuse of Brown School
- ORDR00326\_03\_14\_2022 To Approve Sasaki Design Progress
- ORDR00327\_03\_14\_2022 Parklet Maintenance Fund
- ORDR00328\_03\_14\_2022 Parklet Maintenance Stabilization Fund Usage

**15. ORDINANCES**

- ODNC00104\_01\_31\_2022 2<sup>nd</sup> reading Handicapped Parking Space – Liberty Street

## 16. COMMITTEE ITEMS

### Ad Hoc Committee on Economic Development

#### *In Committee:*

- **ODNC098 10 12 2021 Permanent Parklets Legislation**

### Ad Hoc Committee on Market Landing Park and COTW

#### *In Committee:*

### Budget & Finance

#### *In Committee:*

### Education

#### *In Committee:*

### General Government

#### *In Committee:*

- ORDR00319\_02\_14\_2022 Kelley School Funds Order

### License & Permits

#### *In Committee:*

- ODNC047\_01\_27\_2020 General Ordinance - Short Term Rental Units Rules
- COMM00385\_01\_31\_2022 STRU Fire Sprinkler Systems
- COMM00388\_01\_31\_2022 UPDATED STRU Fire Sprinkler Systems

### Neighborhoods & City Services

#### *In Committee:*

- COMM299\_02\_08\_2021 Phillips Dr. Neighborhood Committee Ltr
- ODNC102\_11\_08\_2021 Late File - Ch. 17 Stormwater Management Revisions
- ODNC00103\_01\_10\_2022 Streets, Sidewalks, and Other Public Places Alterations & Maintenance
- **ODNC00106 02 14 2022 CH2 COA Ordinance Amendment**

### Planning & Development

#### *In Committee:*

- ODNC046\_01\_27\_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00382\_01\_31\_2022 Update from Global re 107 State Street
- ODNC00105\_02\_14\_2022 Zoning Amendment Business Park Uses
- **APPT00301 02 28 2022 Jamie Pennington 8 Buck St. Planning Board 3/1/2027**
- **APPT00302 02 28 2022 Andrew F. Bernhardt 35 Oakland St. Historical Comm. 3/1/2025**

### Public Safety

#### *In Committee:*

- **ODNC00107 02 28 2022 15 Minute Parking Spaces**
- **ORDR00321 02 28 2022 An Act Authorizing the Continued Employment of Officer Vorderis**
- **ORDR00323 02 28 2022 Route 1 Speed Limit**
- COMM00390\_02\_28\_2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field

### Public Utilities

#### *In Committee:*

**Rules**

*In Committee:*

- ORDR239\_02\_8\_2021 Council Rule 7 and 10B
- ORDR00316\_01\_10\_2022 Amended City Council Rules 2022
- ODNC00108\_02\_28\_2022 City Council Meeting Start Time to 7 pm

**17. GOOD OF THE ORDER**

**18. ADJOURNMENT**

# **CONSENT AGENDA**

**CITY COUNCIL “HYBRID”**

**MEETING MINUTES**

**February 28, 2022**

**City Council Meeting 7:30 pm**

**LOCATION: City Council Chambers, City Hall**

**60 Pleasant Street, Newburyport**

Zoom details:

<https://us02web.zoom.us/j/81299990548>

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Or Telephone:

US: +1 929 205 6099

Webinar ID: 812 9999 0548

**1. MOMENT OF SILENCE**

Remembering Lawrence Twomey, Charles Carroll, and the people of Ukraine.

**2. PLEDGE OF ALLEGIANCE**

**3. CALL TO ORDER**

The City Council President Heather Shand called the meeting to order at 7:30 pm and asked the City Clerk, Richard B. Jones, to call the roll. The following City Councillors answered present Khan, Lane, McCauley, Preston, Vogel, Wallace, Wright, Zeid, Donahue, Cameron, and Shand. 11 present ( BL remote).

**4. SECOND READING APPOINTMENT**

APPT00300\_02\_14\_2022 Megan M. Tierney Sergeant, Newburyport Police Department

Motion to move APPT00300 to the beginning of the meeting by Councillor McCauley, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes. Motion to approve on second reading by Councillor McCauley, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.

***Pinning Ceremony***

City Marshal Mark Murray said a few words of introduction. Sergeant Megan M. Tierney was then sworn in by City Clerk Richard B. Jones, and pinned by Officer Joshua Tierney.

**5. LATE FILE**

- ORDR00323\_02\_28\_2022 ROUTE 1 SPEED LIMIT

Motion to waive the rules and accept the late file by Councillor Cameron, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes

**6. PUBLIC COMMENT**

Molly Ettenborough, Recycling and Energy Manager City of Newburyport

Rick Taintor, 10 Dexter Street

Gregory Caplan, 17 Mechanics Row, Amesbury

Lindsay York Carter, 129 Merrimac Street

**7. MAYOR'S COMMENT**

**CONSENT AGENDA**

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

**8. APPROVAL OF MINUTES**

- February 14, 2022

(Approve)

**9. COMMUNICATIONS**

- COMM00390\_02\_28\_2022 Gregory Caplan Ltr-Low St./Bright Horizons access to Fuller Field (PS)

**10. TRANSFERS**

**11. APPOINTMENTS**

*\*To be referred to Planning and Development*

- \*APPT00301\_02\_28\_2022 Jamie Pennington 8 Buck St. Planning Board 3/1/2027
- \*APPT00302\_02\_28\_2022 Andrew F. Bernhardt 35 Oakland St. Historical Comm. 3/1/2025

ALL ITEMS NOTED BELOW ARE REMOVED FROM THEIR RESPECTIVE COMMITTEES WITH THE MOTION TO APPROVE THE CONSENT AGENDA

**Ad Hoc Committee on Economic Development**

- ODNC098\_10\_12\_2021 Permanent Parklets Legislation  
City Clerk noted that ODNC098 will not be coming out of Committee.

**BUDGET & FINANCE**

- TRAN00118\_02\_14\_2022 Gen. Fund \$7,500 to MYR Consulting Services \$7,500
- TRAN00119\_02\_14\_2022 Gen. Fund \$8,394 to Essex Tech Assessment \$8,394
- TRAN00120\_02\_14\_2022 Gen. Fund \$15,000 to CCN Legal Ads \$3,000 CCN Ordinance Recodification \$5,500 BDR Elections \$6,500
- TRAN00121\_02\_14\_2022 Solid Waste Revolving Fund \$35,000 to Pick-Up Truck Purchase \$35,000

**PUBLIC SAFETY**

- APPL00064\_01\_31\_2022 Newburyport Spring Half Marathon 4/24/2022
- APPL00065\_02\_14\_2022 Town & Country Half Marathon - 6/12/2022
- APPL00066\_02\_14\_2022 IPA 5K Road Races 4/10/22, 7/10/22, 9/11/22
- ODNC00104\_01\_31\_2022 Handicapped Parking Space – Liberty Street
- COMM00383\_01\_31\_2022 NFD/OEM FY2021 Report to City Council

**END OF CONSENT AGENDA**

Motion to approve Consent Agenda as amended by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

**REGULAR AGENDA**

**9. MAYOR'S UPDATE**

Motion to receive and file by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

**10. FIRST READING APPOINTMENTS**

**11. COMMUNICATIONS**

**12. TRANSFERS**

**13. SECOND READING APPOINTMENTS**

- APPT00299\_02\_14\_2022 Marcia Foley 206 Low St. Licensing Board 06/01/2028
- Motion to approve on second reading by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

#### 14. ORDERS

- **ORDR00321\_02\_28\_2022** An Act Authorizing the Continued Employment of Officer Vorderis  
Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **ORDR00322\_02\_28\_2022** Licensed Contractor Boston North Development Excavation Services LLC  
Motion to table by Councillor Vogel, seconded by Councillor Zeid. Roll call vote. 10 yes, 1 no (JM). Motion passes.
- **ORDR00315\_01\_10\_2022** Amended City Council Calendar 2022  
Motion to waive the rules and approve by Councillor McCauley, seconded by Councillor Preston. Roll call vote. 11 yes. Motion passes.
- **ORDR00316\_01\_10\_2022** Amended City Council Rules 2022  
Motion to refer to Rules by Councillor Vogel, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.
- **ORDR00323\_02\_28\_2022** Late File Route 1 Speed Limit  
Motion to refer to Public Safety by Councillor Donahue, seconded by Councillor McCauley . Roll call vote. 11 yes. Motion passes.

#### 15. ORDINANCES

- **ODNC00107\_02\_28\_2022** 15 Minute Parking Spaces  
Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **ODNC00108\_02\_28\_2022** City Council Meeting Start Time to 7 pm  
Motion to refer to Rules by Councillor Vogel, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

#### 16. COMMITTEE ITEMS

##### Ad Hoc Committee on Economic Development

###### *In Committee:*

- **ODNC098\_10\_12\_2021** Permanent Parklets Legislation

##### Ad Hoc Committee on Market Landing Park and COTW

###### *In Committee:*

##### Budget & Finance

###### *In Committee:*

- **TRAN00118 02 14 2022 Gen. Fund \$7,500 to MYR Consulting Services \$7,500**  
Motion to approve by Councillor Zeid, seconded by Councillor Khan. Roll call vote. 11 yes. Motion passes.
- **TRAN00119 02 14 2022 Gen. Fund \$8,394 to Essex Tech Assessment \$8,394**  
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **TRAN00120 02 14 2022 Gen. Fund \$15,000 to CCN Legal Ads \$3,000 CCN Ordinance Recodification \$5,500 BDR Elections \$6,500**  
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.
- **TRAN00121 02 14 2022 Solid Waste Revolving Fund \$35,000 to Pick-Up Truck Purchase \$35,000**  
Motion to approve by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

##### Education

###### *In Committee:*



## General Government

### *In Committee:*

- ORDR00319\_02\_14\_2022 Kelley School Funds Order

## License & Permits

### *In Committee:*

- ODNC047\_01\_27\_2020 General Ordinance - Short Term Rental Units Rules
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## Neighborhoods & City Services

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## Planning & Development

### *In Committee:*

- ODNC046\_01\_27\_2020 Zoning Amendment Short Term Rental Unit (STRU) (COTW)
- COMM00382\_01\_31\_2022 Update from Global re 107 State Street
- ODNC00105\_02\_14\_2022 Zoning Amendment Business Park Uses

## Public Safety

### *In Committee:*

- **APPL00064 01 31 2022 Newburyport Spring Half Marathon 4/24/2022**
- **APPL00065 02 14 2022 Town & Country Half Marathon - 6/12/2022**
- **APPL00066 02 14 2022 IPA 5K Road Races 4/10/22, 7/10/22, 9/11/22**

Motion to approve collectively by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

- **ODNC00104 01 31 2022 Handicapped Parking Space – Liberty Street**

Motion to approve on first reading by Councillor McCauley, seconded by Councillor Donahue. Councillor McCauley accepted the friendly amendment by Councillor Khan to remove the A from M.G.L.A. reference. Motion to approve on first reading as amended by Councillor McCauley, seconded by Councillor Donahue. Roll call vote. 11 yes. Motion passes.

- **COMM00383 01 31 2022 NFD/OEM FY2021 Report to City Council**

Motion to receive and file by Councillor McCauley, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

## Public Utilities

### *In Committee:*

## Rules

### *In Committee:*

- ORDR239\_02\_8\_2021 Council Rule 7 and 10B

## 17. GOOD OF THE ORDER

Council President Shand gave an update on 107 State Street and Global Oil.

Councillor McCauley gave an update that the property has closed for the West End Fire Station.

## 18. ADJOURNMENT

Motion to adjourn at 8:30 pm by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

# COMMUNICATIONS



**Merrimack Valley  
Planning Commission**

*Plan • Innovate • Promote*

160 Main Street, Haverhill, Massachusetts 01830 | P: 978.374.0519 | F: 978.372.4890 | [mvpc.org](http://mvpc.org)

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 MAR -3 AM 8:20

February 25, 2022

Julie Languirand, Treasurer  
City of Newburyport  
Pleasant Street  
Newburyport, MA 01950

Dear Ms. Languirand:

In accordance with Chapter 40B of the General Statutes and Chapter 849 of the Acts of 1969, the Merrimack Valley Planning Commission has determined the City of Newburyport's share of its Fiscal Year 2023 financial requirements to be \$7,185.02.

This amount is required by law to be paid, under the provisions of Chapter 40B and Chapter 849, on July 1, 2022 or as soon as possible thereafter.

Please send your payment to: Merrimack Valley Planning Commission  
160 Main Street  
Haverhill, Massachusetts 01830

Very Truly Yours,

A handwritten signature in black ink that reads "James H. Barnes".

James H. Barnes  
Treasurer

Enclosure

cc: Board of Assessors  
City Council

2022 MAR -3 AM 8:20

February 25, 2022

Board of Assessors  
City of Newburyport  
Pleasant Street  
Newburyport, MA 01950

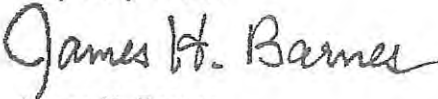
Dear Assessors:

In accordance with Chapter 40B of the General Statutes and Chapter 849 of the Acts of 1969, I hereby certify that the Merrimack Valley Planning Commission has determined the proportion of its expenses for Fiscal Year 2023 to be paid by the City of Newburyport to be \$7,185.02. This figure is based on the following computations:

Community	2010 Population	Per Capita Rate	Assessment Amount
Amesbury	16,283	\$0.41255	\$6,717.60
Andover	33,201	\$0.41255	\$13,697.17
Boxford	7,965	\$0.41255	\$3,285.98
Georgetown	8,183	\$0.41255	\$3,375.92
Groveland	6,459	\$0.41255	\$2,664.68
Haverhill	60,879	\$0.41255	\$25,115.81
Lawrence	76,377	\$0.41255	\$31,509.56
Merrimac	6,338	\$0.41255	\$2,614.76
Methuen	47,255	\$0.41255	\$19,495.19
Newbury	6,666	\$0.41255	\$2,750.08
Newburyport	17,416	\$0.41255	\$7,185.02
North Andover	28,352	\$0.41255	\$11,696.70
Rowley	5,856	\$0.41255	\$2,415.91
Salisbury	8,283	\$0.41255	\$3,417.18
West Newbury	4,235	\$0.41255	\$1,747.16

Please, therefore, include the amount of \$7,185.02 in the Fiscal Year 2023 tax levy of the City of Newburyport as required under Chapter 40B and Chapter 849.

Very Truly Yours,



James H. Barnes  
Treasurer

cc: City Council  
Finance Committee  
Planning Board

## **Newburyport Street and Sidewalk Repair Plan**

### **Introduction**

#### **Street Selection**

In 2020, engineering consultant BETA finished an audit of all City streets and sidewalks and evaluated their condition and what paving work is recommended to be completed, including mill and overlay, reclamation, or surface treatment. They also estimated the costs of all these improvement on the various streets and sidewalks. The Newburyport Department of Public Services (DPS) used this information to create a prioritization plan based on a budget of \$2M per/year. The Mayor's office made the decision to work on three wards at a time, beginning with wards 1, 3, and 5, and following up with 2, 4, and 6, to make sure all wards received attention. The plan prioritizes roads in each ward that are classified as being in the worst condition, and groups them by geography and cost. This means DPS and their contractors will be able to complete the work in the different wards for around the same cost amount each year and all wards will have their priority roads addressed.

#### **Street and Sidewalk Repair Process**

DPS, with the collaboration of the City Engineer, will create and design plans for all new roads and sidewalks and will seek additional input for any new crosswalks. Most paving and sidewalk work will be Replacement In Kind (RIK) and will follow existing plans and conditions. DPS has awarded a contract to D&R Paving following the process laid out in MA General Law which requires that they then pursue a contract with the lowest qualified bidder. The work done will fit into the following categories:

- Reclamation: Removes all asphalt by grinding and pulverizing in place to create a uniform base material before the road is repaved.
- Mill & Overlay: Removes the top layer of asphalt typically ranging between 2-2.5 inches, and then replaces this layer with a new Hot Melt Asphalt surface.
- Surface treatment: Patching and seal coating of the road, with no removal process. Appropriate for roads that are currently classified as fair or good.

#### **Plan for Including Additional Streets**

As the initial study used for this plan was completed in 2020, we understand conditions may have changed in some places and want to be responsive to any streets urgent in need of service. The Mayor's Office and DPS have created a petition process that can be used to request another look at any streets not included in the plan. Residents may submit a petition signed by five residents on a street, or a majority of houses on the street (whichever is smaller). After receiving the petition, a committee will review the street and determine if it can be added to the plan. A public meeting will be held to respond to all received petitions and discuss next steps.

#### **Ward System**

Wards 2, 4, and 6 will receive street and sidewalk repairs in the first year following the end of this plan, FY28. While this is a five-year plan, we anticipate repeating this process in the future and prioritizing the next round of repairs in a similar manner. It will make more sense to evaluate the needs of Wards 2, 4, and 6 for FY28 when we are closer to that date.

**Communication**

The City will have a dedicated page on its website with updates on this project, including maps of the streets scheduled for repair and reminders on when the repairs are underway. We will also use our social media channels to share updates. There will be an annual public meeting discussing the streets and sidewalks scheduled for repair and covering the progress made in the year before.

**Ward 1**

<b>Ward 1 FY 23</b>					
<b>Street Name</b>	<b>From Street</b>	<b>To Street</b>	<b>General Condition</b>	<b>Proposed Repair Method</b>	<b>Length (Miles)</b>
WATER STREET	SHANDEL DR	UNION ST	Poor	Mill & Overlay	0.14
WATER STREET	UNION ST	GOODWINS AVE	Fair	Mill & Overlay	0.10
WATER STREET	GOODWINS AVE	WOODWELL AVE	Fair	Mill & Overlay	0.08
WATER STREET	WOODWELL AVE	MARLBORO ST	Poor	Mill & Overlay	0.05
ALTER COURT	BARTON ST	DEAD END	Poor	Reclamation	0.03
BARTON COURT	BARTON ST	DEAD END	Poor	Reclamation	0.04
BARTON STREET	ALTER CT	BARTON CT	Poor	Reclamation	0.05
	BARTON CT	CHESTNUT ST	Poor	Reclamation	0.05
	HIGH ST	ALTER CT	Poor	Reclamation	0.07
F STREET	HIGH ST	DEAD END	Poor	Mill & Overlay	0.02
GOODWINS AVE	UNION ST	WATER ST	Very Poor	Reclamation	0.03
KATE STREET	OLD POINT RD	DEAD END	Fair	Mill & Overlay	0.06
MILK ST	FRANKLIN ST	BROMFIELD ST	Very Poor	Reclamation	0.05
N ST	OLD POINT RD	DEAD END	Poor	Mill & Overlay	0.04
<b>Ward 1 FY 25</b>					
<b>Street Name</b>	<b>From Street</b>	<b>To Street</b>	<b>General Condition</b>	<b>Proposed Repair Method</b>	<b>Length (Miles)</b>
HIGH ST E	BROMFIELD ST	BARTON ST	Poor	Surface Treatment	0.06
NORTHERN BLVD	73RD ST	71ST ST	Poor	Mill & Overlay	0.03
OAK STREET	BEACON ST	GUILD ST	Poor	Mill & Overlay	0.05
	GUILD ST	NEWBURY TL	Poor	Mill & Overlay	0.14
	MARLBORO ST	BEACON ST	Poor	Mill & Overlay	0.13
GUILD STREET	OAK ST	REILLY AVE	Poor	Mill & Overlay	0.08
NEPTUNE STREET	PURCHASE ST	WATER ST	Fair	Mill & Overlay	0.12
LANCASTER ROAD	SHANDEL DR	CUL DE SAC	Poor	Mill & Overlay	0.05
<b>Ward 1 FY 27</b>					
<b>Street Name</b>	<b>From Street</b>	<b>To Street</b>	<b>General Condition</b>	<b>Proposed Repair Method</b>	<b>Length (Miles)</b>
SMITH'S STREET	BECK ST	WATER ST	Poor	Reclamation	0.11
LUNT STREET	PURCHASE ST	HANCOCK ST	Poor	Mill & Overlay	0.07
LIME STREET	BECK ST	WATER ST	Poor	Mill & Overlay	0.11
REILLY AVENUE	MARLBORO ST	BEACON ST	Fair	Mill & Overlay	0.12
	BEACON ST	GUILD ST	Poor	Mill & Overlay	0.06
	GUILD ST	NEWBURY TL	Poor	Mill & Overlay	0.01
SHIP STREET	WATER ST	BECK ST	Fair	Mill & Overlay	0.11
BECK STREET	SHIP ST	SMITH ST	Poor	Reclamation	0.02
	SMITH ST	LIME ST	Poor	Reclamation	0.04
SOUTH POND STREET	MARLBORO ST	BEACON AVE	Poor	Mill & Overlay	0.10

Ward 2

Ward 2 FY 24					
Street Name	From Street	To Street	General Condition	Proposed Repair Method	Length (Miles)
FAIR ST	CHARTER ST	SPRING ST	Very Poor	Reclamation	0.03
	ESSEX ST	MIDDLE ST	Poor	Reclamation	0.03
	LIBERTY ST	WATER ST	Fair	Reclamation	0.10
	MIDDLE ST	LIBERTY ST	Poor	Reclamation	0.04
	ORANGE ST	CHARTER ST	Very Poor	Reclamation	0.01
	PROSPECT ST	TEMPLE ST	Poor	Reclamation	0.03
	SPRING ST	ESSEX ST	Very Poor	Reclamation	0.02
	TEMPLE ST	ORANGE ST	Very Poor	Reclamation	0.03
FRUIT ST	HIGH ST	PROSPECT ST	Poor	Mill & Overlay	0.11
MIDDLE ST	CENTER ST	FAIR ST	Poor	Reclamation	0.06
	FAIR ST	INDEPENDENT ST	Very Poor	Reclamation	0.04
	INDEPENDENT ST	FEDERAL ST	Very Poor	Reclamation	0.08
MILK ST	FEDERAL ST	LIME ST	Poor	Reclamation	0.12
	LIME ST	FRANKLIN ST	Very Poor	Reclamation	0.10

Ward 2 FY 26					
Street Name	From Street	To Street	General Condition	Proposed Repair Method	Length (Miles)
ALLEN STREET	HIGH ST	PROSPECT ST	Poor	Reclamation	0.12
SCHOOL STREET	FEDERAL ST	LIME ST	Poor	Mill & Overlay	0.11
GARDEN STREET	OTIS PL	STATE ST	Poor	Mill & Overlay	0.06



### Ward 3

Ward 3 FY 23					
Street Name	From Street	To Street	General Condition	Proposed Repair Method	Length (Miles)
BOARDMAN ST	ATKINSON ST	MERRIMAC ST	Poor	Mill & Overlay	0.11
	HIGH ST	WASHINGTON ST	Poor	Mill & Overlay	0.08
	WASHINGTON ST	ATKINSON ST	Poor	Mill & Overlay	0.07
CHERRY ST	CHERRY ST EXT	BRICHER PL	Poor	Reclamation	0.12
DEXTER LN	HIGH ST	DEAD END	Poor	Mill & Overlay	0.16
NEW PASTURE WY	GRAF RD	CUL DE SAC	Fair	Mill & Overlay	0.28
QUILL ST	BRICHER PL	DEAD END	Poor	Mill & Overlay	0.04
STANLEY TUCKER DR	MALCOLM K. HOYT RD	CUL DE SAC	Poor	Mill & Overlay	0.19
VERNON ST	CAREY AVE	DEAD END	Very Poor	Reclamation	0.02
BRICHER PL	CHERRY ST	HILL ST	Very Poor	Reclamation	0.04

Ward 3 FY 25					
Street Name	From Street	To Street	General Condition	Proposed Repair Method	Length (Miles)
JOHNSON STREET	LOW ST	HIGH ST	Poor	Mill & Overlay	0.32
CALDWELLS COURT	MERRIMAC ST	DEAD END	Poor	Mill & Overlay	0.03
BIRCH STREET	MARKET ST	SUMMER ST	Poor	Mill & Overlay	0.03
BRICHER PLACE	HILL ST	QUILL ST	Poor	Mill & Overlay	0.04
CURRIERS COURT	KENT ST	DEAD END	Fair	Mill & Overlay	0.03
CUTTERS COURT	WARREN ST	CARTER ST	Fair	Mill & Overlay	0.04
PAPANTI COURT	OCEAN ST	DEAD END	Fair	Mill & Overlay	0.03
PERKINS WAY	PARKER ST	PREBLE RD	Fair	Mill & Overlay	0.18
	PREBLE RD	CUL DE SAC	Fair	Mill & Overlay	0.06

Ward 3 FY 27					
Street Name	From Street	To Street	General Condition	Proposed Repair Method	Length (Miles)
SUMMIT PLACE	TOPPAN'S LN	HIGH ST	Poor	Mill & Overlay	0.32
PREBLE ROAD	PERKINS WY	SPLIT	Fair	Mill & Overlay	0.09
	SPLIT	CUL DE SAC	Poor	Mill & Overlay	0.09
COTTAGE COURT	POND ST	DEAD END	Poor	Reclamation	0.09
EAGLE STREET	KENT ST	WARREN ST	Poor	Mill & Overlay	0.09
	WARREN ST	CARTER ST	Poor	Mill & Overlay	0.05

Ward 4

Ward 4 FY 24					
Street Name	From Street	To Street	General Condition	Proposed Repair Method	Length (Miles)
ARLINGTON ST	HIGHLAND AVE	HIGH ST	Very Poor	Reclamation	0.17
CHRISTOPHER ST	PLUMMER AVE	JEFFERSON ST	Very Poor	Reclamation	0.13
MUNROE STREET	TYNG ST	OAKLAND ST	Poor	Mill & Overlay	0.05

Ward 4 FY 26					
Street Name	From Street	To Street	General Condition	Proposed Repair Method	Length (Miles)
ADAMS STREET	JEFFERSON ST	UPLAND RD	Poor	Mill & Overlay	0.08
ADAMS STREET	UPLAND RD	DEAD END	Poor	Reclamation	0.02
ASHLAND COURT	ASHLAND ST	DEAD END	Poor	Mill & Overlay	0.07
BUTLER STREET	MERRIMAC ST	HOWARD ST	Poor	Mill & Overlay	0.09
CALIFORNIA STREET		WALNUT ST	Poor	Mill & Overlay	0.06
DAWES STREET	COOLIDGE ST	ASHLAND ST	Poor	Mill & Overlay	0.11
FARRELL STREET	RAWSON AVE	MCCLINTOCK AVE	Poor	Mill & Overlay	0.11
FARRELL STREET	MCCLINTOCK AVE	COLUMBUS AVE	Poor	Mill & Overlay	0.05

**Ward 5**

<b>Ward 5 FY 23</b>					
<b>Street Name</b>	<b>From Street</b>	<b>To Street</b>	<b>General Condition</b>	<b>Proposed Repair Method</b>	<b>Length (Miles)</b>
DOE RUN DRIVE	HALE ST	QUAIL RUN HOLLOW	Poor	Mill & Overlay	0.11
DOE RUN DRIVE	QUAIL RUN HOLLOW	CUL DE SAC	Poor	Mill & Overlay	0.12
HIGHLAWN TER	HIGH ST	DEAD END	Poor	Mill & Overlay	0.05
HOPE AVE	ALBERTA AVE	IONA AVE	Very Poor	Reclamation	0.10
QUAIL RUN HOLLOW	DOE RUN DR	FOX RUN RD	Poor	Mill & Overlay	0.07
	FOX RUN RD	PHEASANT RUN DR	Poor	Mill & Overlay	0.07
	PHEASANT RUN DR	WILDWOOD DR	Poor	Mill & Overlay	0.05
RAWSON AVENUE	MARGERIE ST	LOIS ST	Fair	Mill & Overlay	0.04
	SYLVESTER ST	MARGERIE ST	Poor	Mill & Overlay	0.04
SIMMONS DRIVE	NORTH ATKINSON ST	GOLDEN DR	Fair	Mill & Overlay	0.05
	GOLDEN DR	GOLDEN DR	Fair	Mill & Overlay	0.05
	GOLDEN DR	DEAD END	Poor	Mill & Overlay	0.04
STICKNEY AVENUE	ALBERTA AVE	LOW ST	Fair	Mill & Overlay	0.10
TRACY STREET	NORTH ATKINSON ST	COLUMBUS AVE	Poor	Mill & Overlay	0.10

<b>Ward 5 FY 25</b>					
<b>Street Name</b>	<b>From Street</b>	<b>To Street</b>	<b>General Condition</b>	<b>Proposed Repair Method</b>	<b>Length (Miles)</b>
ALBERTA AVENUE	WILLIAMSON AVE	DEAD END	Poor	Mill & Overlay	0.01
	WILLIAMSON AVE	STICKNEY AVE	Poor	Mill & Overlay	0.05
	STICKNEY AVE	HOPE AVE	Poor	Mill & Overlay	0.03
	HOPE AVE	BRISSETTE AVE	Poor	Mill & Overlay	0.02
	BRISSETTE AVE	MYRTLE AVE	Fair	Mill & Overlay	0.03
	MYRTLE AVE	AVON ST	Poor	Mill & Overlay	0.02
	AVON ST	END	Poor	Reclamation	0.01
CHARMANSKI DRIVE	WILDWOOD DR	DEAD END	Poor	Mill & Overlay	0.05
CHARRON DRIVE	NORTH ATKINSON ST	CUL DE SAC	Poor	Reclamation	0.14
FOX RUN ROAD	SQUIRES GLEN	DRIVEWAY #11	Fair	Mill & Overlay	0.11
	DRIVEWAY #11	QUAIL RUN HOLLOW	Poor	Mill & Overlay	0.11
GOLDEN DRIVE	SIMMONS DR	SIMMONS DR	Fair	Mill & Overlay	0.12

<b>Ward 5 FY 27</b>					
<b>Street Name</b>	<b>From Street</b>	<b>To Street</b>	<b>General Condition</b>	<b>Proposed Repair Method</b>	<b>Length (Miles)</b>
GOLDSMITHS DRIVE	LAVALEE LN	BRADBURY LN	Poor	Mill & Overlay	0.060
	BRADBURY LN	ANDERSON LN	Fair	Mill & Overlay	0.060
	ANDERSON LN	FRANCES DR	Poor	Mill & Overlay	0.175
	FRANCES DR	DEAD END	Poor	Mill & Overlay	0.052
NORTH ATKINSON STREET	CHARRON DR	SIMMONS DR	Poor	Mill & Overlay	0.09
	SIMMONS DR	LOW ST	Fair	Mill & Overlay	0.06
IONA AVENUE	HOPE AVE	BOWLEN AVE	Poor	Mill & Overlay	0.02
	BOWLEN AVE	MYRTLE AVE	Poor	Mill & Overlay	0.02

Ward 6

Ward 6 FY 24					
Street Name	From Street	To Street	General Condition	Proposed Repair Method	Length (Miles)
BOURBEAU TER	TURKEY HILL RD	TURKEY HILL RD	Poor	Mill & Overlay	0.38
DREW STREET	PHILLIPS DR	PHILLIPS DR	Fair	Mill & Overlay	0.19
PETERS ROAD	MARQUAND RD	HAWTHORNE RD	Poor	Mill & Overlay	0.09

Ward 6 FY 26					
Street Name	From Street	To Street	General Condition	Proposed Repair Method	Length (Miles)
ADAMS STREET	JEFFERSON ST	UPLAND RD	Poor	Mill & Overlay	0.08
BRIGGS AVENUE	FERRY RD	FENDERS AVE	Poor	Mill & Overlay	0.07
	FENDERS AVE	BROWN AVE	Poor	Mill & Overlay	0.05
	BROWN AVE	CUL DE SAC	Fair	Mill & Overlay	0.04
HOYTS LANE	STOREY AVE	DREW ST	Poor	Mill & Overlay	0.16
	DREW ST	CURZON'S MILL RD	Poor	Mill & Overlay	0.42
MOSELEY AVENUE	ERIE AVE	HARDING AVE	Poor	Mill & Overlay	0.06
	HARDING AVE	ELMIRA AVE	Poor	Mill & Overlay	0.05
SPOFFORD STREET	FERRY RD	BELCHER ST	Poor	Mill & Overlay	0.21
	BELCHER ST	MERRIMAC ST	Fair	Mill & Overlay	0.15

### Surface Treatment (Part One)

Street Name	From Street	To Street	Year	General Condition	Proposed Repair Method	Length (Miles)
OLD POINT ROAD	FLORA ST	G ST	2026	Fair	Surface Treatment	0.03
	G ST	H ST	2026	Good	Surface Treatment	0.03
	H ST	IRIS ST	2026	Fair	Surface Treatment	0.03
	IRIS ST	K ST	2026	Good	Surface Treatment	0.05
	K ST	L ST	2026	Fair	Surface Treatment	0.03
	L ST	M ST	2026	Good	Surface Treatment	0.03
	M ST	N ST	2026	Fair	Surface Treatment	0.03
	N ST	O ST	2026	Good	Surface Treatment	0.03
OVERLOOK STREET	O ST	P ST	2026	Good	Surface Treatment	0.02
	64TH ST	66TH ST	2026	Good	Surface Treatment	0.11
OVERLOOK STREET	76TH ST	DEAD END	2026	Good	Surface Treatment	0.03
	P STREET	OLD POINT RD	DEAD END	2026	Fair	Surface Treatment
RESERVATION TERRACE	57TH ST	55TH ST	2026	Fair	Surface Treatment	0.03
	61ST ST	GRANT ST	2026	Good	Surface Treatment	0.01
	63RD ST	61ST ST	2026	Good	Surface Treatment	0.03
	67TH ST	63RD ST	2026	Good	Surface Treatment	0.06
	69TH ST	67TH ST	2026	Good	Surface Treatment	0.03
	73RD ST	69TH ST	2026	Good	Surface Treatment	0.06
	77TH ST	DEAD END	2026	Fair	Surface Treatment	0.16
	GRANT ST	57TH ST	2026	Good	Surface Treatment	0.05
SHORE DRIVE	56TH ST	58TH ST	2026	Good	Surface Treatment	0.03
	58TH ST	60TH ST	2026	Good	Surface Treatment	0.03
	60TH ST	62ND ST	2026	Good	Surface Treatment	0.03
	62ND ST	64TH ST	2026	Good	Surface Treatment	0.03
	64TH ST	76TH ST	2026	Fair	Surface Treatment	0.17
NORTHERN BLVD	76TH ST	73RD ST	2025	Fair	Surface Treatment	0.02
NORTHERN BLVD	77TH ST	76TH ST	2025	Fair	Surface Treatment	0.03
NORTHERN BLVD	78TH ST	77TH ST	2025	Fair	Surface Treatment	0.12
NORTHERN BLVD	80TH ST	78TH ST	2025	Fair	Surface Treatment	0.09
NORTHERN BLVD	82NDST	80TH ST	2025	Good	Surface Treatment	0.04
NANCY STREET	OLD POINT RD	END	2026	Fair	Surface Treatment	0.04
NORTHERN BLVD	53RD ST	56TH ST	2025	Fair	Surface Treatment	0.01
NORTHERN BLVD	55TH ST	58TH ST	2025	Fair	Surface Treatment	0.01
NORTHERN BLVD	56TH ST	NEWBURY TL	2025	Fair	Surface Treatment	0.02
NORTHERN BLVD	57TH ST	60TH ST	2025	Fair	Surface Treatment	0.01
NORTHERN BLVD	58TH ST	53RD ST	2025	Fair	Surface Treatment	0.02
NORTHERN BLVD	59TH ST	62ND ST	2025	Fair	Surface Treatment	0.01
NORTHERN BLVD	60TH ST	55TH ST	2025	Fair	Surface Treatment	0.02
NORTHERN BLVD	61ST ST	59TH ST	2025	Fair	Surface Treatment	0.03
NORTHERN BLVD	62ND ST	57TH ST	2025	Fair	Surface Treatment	0.02
NORTHERN BLVD	65TH ST	63RD ST	2025	Fair	Surface Treatment	0.03
NORTHERN BLVD	66TH ST	61ST ST	2025	Fair	Surface Treatment	0.03
NORTHERN BLVD	67TH ST	65TH ST	2025	Fair	Surface Treatment	0.03
NORTHERN BLVD	69TH ST	70TH ST	2025	Fair	Surface Treatment	0.01
NORTHERN BLVD	70TH ST	67TH ST	2025	Fair	Surface Treatment	0.02
NORTHERN BLVD	71ST ST	72ND ST	2025	Fair	Surface Treatment	0.01
NORTHERN BLVD	72ND ST	69TH ST	2025	Fair	Surface Treatment	0.02
L ST	OLD POINT RD	DEAD END	2025	Fair	Surface Treatment	0.08
LOUISA STREET	OLD POINT RD	DEAD END	2026	Fair	Surface Treatment	0.03
M ST	OLD POINT RD	DEAD END	2025	Fair	Surface Treatment	0.06
MARTHA STREET	OLD POINT RD	DEAD END	2026	Good	Surface Treatment	0.03
H STREET	OLD POINT RD	DEAD END	2026	Good	Surface Treatment	0.07
HARBOR STREET	78TH ST	80TH ST	2026	Good	Surface Treatment	0.08
HELENA STREET	OLD POINT RD	DEAD END	2026	Good	Surface Treatment	0.03
HIGH ST E	BROMFIELD ST	BARTON ST	2024	Poor	Surface Treatment	0.06
I STREET	OLD POINT RD	DEAD END	2026	Good	Surface Treatment	0.07
IRIS STREET	OLD POINT RD	DEAD END	2026	Fair	Surface Treatment	0.05
JULIA STREET	OLD POINT RD	DEAD END	2026	Fair	Surface Treatment	0.06
K ST	OLD POINT RD	DEAD END	2025	Fair	Surface Treatment	0.14

## Surface Treatment (Part Two)

Street Name	From Street	To Street	Year	General Condition	Proposed Repair Method	Length (Miles)
FLORA ST	OLD POINT RD	DEAD END	2023	Fair	Surface Treatment	0.07
G STREET	OLD POINT RD	DEAD END	2026	Good	Surface Treatment	0.04
GLORIA ST	OLD POINT RD	DEAD END	2023	Fair	Surface Treatment	0.08
74TH STREET	NORTHERN BLVD	DEAD END	2026	Fair	Surface Treatment	0.03
75TH STREET	NORTHERN BLVD	DEAD END	2026	Fair	Surface Treatment	0.06
76TH STREET	BARKER ST	OVERLOOK ST	2026	Fair	Surface Treatment	0.03
	NORTHERN BLVD	BARKER ST	2026	Fair	Surface Treatment	0.04
	OVERLOOK ST	BASIN ST	2026	Good	Surface Treatment	0.02
77TH STREET	NORTHERN BLVD	RESERVATION TER	2026	Fair	Surface Treatment	0.05
78TH STREET	NORTHERN BLVD	HARBOR ST	2026	Fair	Surface Treatment	0.05
69TH STREET	NORTHERN BLVD	RESERVATION TER	2026	Fair	Surface Treatment	0.08
70TH STREET	NORTHERN BLVD	DEAD END	2026	Fair	Surface Treatment	0.06
71ST STREET	NORTHERN BLVD	DEAD END	2026	Fair	Surface Treatment	0.05
72ND STREET	NORTHERN BLVD	DEAD END	2026	Fair	Surface Treatment	0.04
66TH STREET	NORTHERN BLVD	OVERLOOK ST	2026	Fair	Surface Treatment	0.05
67TH STREET	NORTHERN BLVD	RESERVATION TER	2026	Fair	Surface Treatment	0.09
64TH STREET	NORTHERN BLVD	OVERLOOK ST	2026	Fair	Surface Treatment	0.07
64TH STREET	OVERLOOK ST	SHORE DR	2026	Fair	Surface Treatment	0.02
64TH STREET	SHORE DR	SHORE DR	2026	Good	Surface Treatment	0.02
62ND STREET	SHORE DR	NORTHERN BLVD	2026	Fair	Surface Treatment	0.09
58TH STREET	NORTHERN BLVD	SHORE DR	2026	Fair	Surface Treatment	0.09
HIGH ST E	ALLEN ST	BROMFIELD ST	2024	Fair	Surface Treatment	0.05
	BARTON ST	MARLBORO ST	2024	Fair	Surface Treatment	0.05
	EPPA WY	POND ST	2024	Fair	Surface Treatment	0.03
	FEDERAL ST	LIME ST	2024	Poor	Surface Treatment	0.12
	FRUIT ST	TREMONT ST	2024	Poor	Surface Treatment	0.07
	LIME ST	PARSONS ST	2024	Fair	Surface Treatment	0.06
	PARK ST	EPPA WY	2024	Fair	Surface Treatment	0.01
	PARSONS ST	ALLEN ST	2024	Fair	Surface Treatment	0.05
	POND ST	STATE ST	2024	Fair	Surface Treatment	0.03
	STATE ST	FRUIT ST	2024	Poor	Surface Treatment	0.10
HIGH ST E	TREMONT ST	FEDERAL ST	2024	Fair	Surface Treatment	0.07
	AUBURN ST	COURT ST	2024	Fair	Surface Treatment	0.04
	COURT ST	GREEN ST	2024	Fair	Surface Treatment	0.07
	GREEN ST	PARK ST	2024	Fair	Surface Treatment	0.05
	MARKET ST	AUBURN ST	2024	Fair	Surface Treatment	0.02
ELM ST	SUMMER ST	MARKET ST	2024	Fair	Surface Treatment	0.04
	PLUM ST	MERRIMAC ST	2024	Fair	Surface Treatment	0.07
	WARREN ST	CARTER ST	2024	Fair	Surface Treatment	0.04
	HILL ST	GREEN LEAF	2023	Fair	Surface Treatment	0.09
	BEACON ST	WOODLAND ST	2024	Fair	Surface Treatment	0.08
PAYSON ST	CHAPEL ST	BEACON ST	2024	Fair	Surface Treatment	0.05
	BOWLEN AVE	IONA AVE	2026	Fair	Surface Treatment	0.09
MYRTLE AVENUE	HIGH ST	BOWLEN AVE	2026	Fair	Surface Treatment	0.13
	IONA AVE	ALBERTA AVE	2026	Fair	Surface Treatment	0.09
COFFIN ST	MERRIMAC ST	DEAD END	2023	Fair	Surface Treatment	0.07
CUTTERS CT	WARREN ST	CARTER ST	2024	Fair	Surface Treatment	0.04
VIRGINIA LN	VIRGINIA LN-01	STOREY BROOK RD	2022	Fair	Surface Treatment	0.07
ARTHUR WELCH	DANIEL LUCY WY	CUL DE SAC	2023	Fair	Surface Treatment	0.10
ARTICHOKE TER	STOREY AVE	DEAD END	2023	Fair	Surface Treatment	0.07
COOMBS CIR	NOBLE ST	CUL DE SAC	2022	Fair	Surface Treatment	0.12
DREW ST	PHILLIPS DR	HOYTS LN	2023	Poor	Surface Treatment	0.07
	PHILLIPS DR	PHILLIPS DR	2023	Fair	Surface Treatment	0.19
DANIEL LUCY WAY	PINE HILL RD		2023	Fair	Surface Treatment	0.08
HOYTS LN	DANIEL LUCY WAY		2023	Fair	Surface Treatment	0.20
EPPA WY	HIGH ST	POND ST	2024	Fair	Surface Treatment	0.03
BASIN STREET	76TH ST	78TH ST	2023	Good	Surface Treatment	0.12
EPPA WY	HIGH ST	POND ST	2024	Fair	Surface Treatment	0.03
ELMIRA AVE	MOSELEY AVE	FERRY RD	2024	Fair	Surface Treatment	0.25

**From:** Stephen Comley  
**Sent:** Wednesday, March 2, 2022 4:16 PM  
**To:** Richard Jones <[rjones@cityofnewburyport.com](mailto:rjones@cityofnewburyport.com)>  
**Cc:** Mayor Gove <[govek@amesburyma.gov](mailto:govek@amesburyma.gov)>; [agreco@townofnewbury.org](mailto:agreco@townofnewbury.org)  
<[agreco@townofnewbury.org](mailto:agreco@townofnewbury.org)>  
**Subject:** Letter to NRC Inspector General, Robert J Feitel.

City of Newburyport  
City Clerk  
Richard B. Jones  
P. B. BOX 550  
60 Pleasant Street  
Newburyport MA 01950  
Mr. Jones,

March 2, 2022

Is there a reason why the Newburyport City Council has not written a letter to the **NEW** NRC Inspector General, Robert J. Feitel since I asked for before August 27, 2021? **Please reply.**

Could the reason be because the last letter the Council wrote but never got replied to by the former NRC Chairwoman, Kristine L. Svinicki? Svinicki typically did not reply or act on safety concerns from any of the other letters sent to her from 9 other Towns and Cities in MA and NH. I assure the council Mr. Feitel and his Staff will act on the Council 's letter if and when it is sent This is because unlike Svinicki and other irresponsible NRC High Officials WTP have dealt with, Mr. Feitel and his staff will not only investigate cover-ups by Seabrook Station and other U.S. plants, but OIG will probe corruption committed by the NRC agency itself.

As you know I dropped of many articles and important documents for the members of the Council to review in order justify a letter from the Council to Mr. Feitel. As you know recently this included the two-page letter (**attached**) to We The People of February 10, 2022, from Mr. Feitel stating, "My staff investigated (OIG Case No. C20-022) your allegations that CFSI are present in most, if not all, U.S. nuclear power plants, that the NRC has lowered the oversight standards for CFSI, failed to address CFSI allegations".

This investigation and 6 others can be reviewed on WTP's web site: [stephencomleysr.net](http://stephencomleysr.net) It is WTP's informants and my hope all of the council members will take the time to review our web site.

Please take note of the second page of Mr. Feitel's letter to WTP which states his office was not given **purview authority by Congress to investigate wrongdoing by the following, "You also alleged misconduct by current and former U.S. presidents, U.S. senators, state governors, state attorneys general, the media, and former NRC inspectors General, for not investigating your**

concerns. These allegations are outside the OIG's purview, but we did refer your allegations regarding federal and state officials to the Federal Bureau of Investigation. We did not require or request a response from the FBI as to whether it chooses to investigate those issues".

**(WTP'S INFORMANTS AND I BELIEVE THIS WAS INTENTIONAL SO, OIG WOULD NOT BE ABLE TO COMPLETE FULL OR PROPER INVESTIGATIONS AS CONGRESS ONLY GAVE OIG SUBPENIA POWER FOR RECORDS NOT THE RIGHT FOR OIG TO SUMMON INDIVIDUALS TO TESTIFY LIKE PRESIDENTS)**

We The People and I have had experiences with both the FBI and the DOJ which did not lead to any investigations from letters (attached) in behalf of of WTP sent to both officers.

Mr. Feitel has been In-touch with Joseph R. Bonavolonta who was named by FBI Director Christopher Way to become Special Agent in Charge of the Boston/Chelsea Field Office. Address: 201 Maple Street, Chelsea MA 0215, Phone: 857-386-2000. Mr. Bonavolota reported to the Boston Field Office on January 22, 2019. I hope to be contacted by Agent Bonavolota soon.

Please let We The People know if the Newburyport Council members will approve sending a letter to Mr. Feitel of the Council's safety concerns regarding of Seabrook Station. I also wish the council will consider thanking Mr. Feitel and his staff for showing the extreme courage they have exhibited in not being brought or intimidated of fully investigating which WTP's brave informants and I believe is the most powerful industry and Government agency in America.

I am enclosing two letters (attached) already written to Mr. Feitel from the Mayor of Amesbury, Kassandra Gove and from the Newbury Select Board Chair, Alicia Greco. Other attachment are issues in the Council's letter 's could include the special needs issue the former Executive Director of the NRC, Victor Stello suggested I leave paralyzed residents behind at our health care facility in the event of a nuclear disaster at Seabrook Station. This is still unbelievable in effect at all U.S. Nuclear Plants

If the council members and you need further clarification or comment from me concerning any of the issues above, please contact us.

Respectfully submitted,

Stephen B. Comley Sr.,  
Founder of We The People a National Whistleblower Protection Non-Profit Organization  
oec





# Amesbury

Mayor **Kassandra Gove**

Office of the Mayor  
City Hall, 62 Friend Street  
Amesbury, MA 01913-2884

(978) 388-8121  
Fax: (978) 388-6727  
govek@amesburyma.gov

August 27, 2021

Robert J. Feitel, Inspector General, U.S. Nuclear Regulatory Commission  
c/o Malion Bartley, Assistant Inspector General for Investigations  
Mail Stop 06E13  
11555 Rockville Pike  
Rockville, MD 20852

Dear Inspector General Feitel:

As Mayor of the City of Amesbury, Massachusetts, I am requesting that the Nuclear Regulatory Commission (NRC) investigate and address any of the valid concerns raised by Stephen B. Comley, Sr. and his organization, We The People, regarding the safety of the Seabrook Station in Seabrook, New Hampshire.

As you may know, Amesbury is one of the communities within a ten (10) mile radius of Seabrook Station, and the City has previously asked (in 2017) for a public hearing by the NRC on the public safety and evacuation plan for Seabrook Station.

I am aware, after a long discussion with Mr. Comley, of his decades of interest in, and his passion for, this issue. I won't recount all of his efforts here, but I am aware that he has been advocating for his concerns to be addressed properly since the Reagan Administration.

As a lifelong resident of Amesbury myself, I have my own concerns about the health and safety issues raised by this facility being in such close proximity. The NRC should seek to ensure both the safety of the station, including the parts being used within the facility itself, as well as the evacuation plans in the case of a catastrophic event.

Thank you for your attention to the concerns raised by Mr. Comley and We The People.

Sincerely,

**Kassandra Gove**

Mayor  
City of Amesbury

cc: Stephen B. Comley, Sr., Founder, We The People



Town of Newbury  
Select Board  
12 Kent Way, Suite 101  
Byfield, MA 01922  
Phone: 978-465-0862 X301  
Fax: 978-572-1228

November 9, 2021

Robert J. Fettel, Inspector General, U.S. Nuclear Regulatory Commission  
c/o Mallon Bartley, Assistant Inspector General for Investigations  
Mall Stop 06E13  
11555 Rockville Pike  
Rockville, MD 20852

Dear Inspector General Fettel:

We are writing in response to public safety concerns raised by Mr. Stephen B. Comley, Sr., a resident from Rowley, MA, and founder of "We the People", a national whistleblower/nonprofit organization. Among other concerns, Mr. Comley alleges that the evacuation plan in question is ineffective within the required 10-mile radius during the summer months.

In the interest of public safety, we respectfully request that you hold a public hearing at a location within the 10-mile radius. Given the importance of an effective evacuation plan, we believe a public hearing on the issue will provide your commission the opportunity to not only address the issues Mr. Comley has raised, but also to explain in more detail how the approved plan is designed to work, thus preventing any misinformation from creating concern or alarm with residents within the 10-mile radius.

Thank you for your consideration of our request. Please feel free to contact us should you have any questions.

On behalf of the Select Board,

Alicia Greco, Chair



## MEMORANDUM

**DATE:** February 10, 2022

**TO:** Stephen B. Comley, Sr.  
We The People, a National Whistleblower  
Protection Non-Profit Organization  
P.O. Box 646  
Rowley, MA 01969

**FROM:** Robert J. Feitel  
Inspector General

Robert J. Feitel Details: Signed by Robert J. Feitel Date: 2022.02.10 08:54:17 -0500

**SUBJECT:** SPECIAL INQUIRY INTO COUNTERFEIT, FRAUDULENT, AND  
SUSPECT ITEMS IN OPERATING NUCLEAR POWER PLANTS  
(OIG Case No. C20-022)

Dear Mr. Comley:

Thank you for taking considerable time to bring your concerns to the Office of the Inspector General (OIG). I am pleased to inform you that my staff has completed its investigations into those of your concerns that fall under the OIG's purview.

My staff investigated (OIG Case No. C20-022) your allegations that CFSI are present in most, if not all, U.S. nuclear power plants, that the NRC has lowered the oversight standards for CFSI, and that the NRC failed to address CFSI allegations. Additionally, the OIG performed an audit (OIG-22-A-06) on the NRC's oversight of counterfeit reactor components. Both the investigation and audit reports have identified findings, will be made public, and are expected to be issued shortly.

The OIG also investigated your allegation that Seabrook Station's evacuation plan is inadequate (OIG Case No. C21-019). That investigation is complete; however, the NRC's response is pending. After we receive the agency's response, you can request a copy of the report via the Freedom of Information Act (FOIA) process.

During these investigations, OIG investigators interviewed several individuals you identified. We considered their testimony in our investigations and referred any safety concerns they had to the NRC.



## MEMORANDUM

You also alleged misconduct by current and former U.S. presidents, U.S. senators, state governors, state attorneys general, the media, and former NRC inspectors general, for not investigating your concerns. These allegations are outside the OIG's purview, but we did refer your allegations regarding federal and state officials to the Federal Bureau of Investigation. We did not require or request a response from the FBI as to whether it chooses to investigate those issues.

Finally, you reported to us that you received threats of violence or other harm to your family as a direct result of your work for We The People. Recognizing the seriousness of your reports, the OIG immediately referred your concerns to the Rowley Police Department, Rowley, Massachusetts. Likewise, we did not require or request a response from the Rowley Police Department regarding any subsequent action taken by them.

Thank you for submitting your concerns to the OIG. I am confident that each of them has been carefully, thoroughly, and thoughtfully addressed. Further, I have determined that the investigative steps and actions taken by our OIG are in the best interests of the public, the NRC, and internal and external stakeholders. If you have a new allegation that you have not previously submitted, please use our online OIG Hotline process.

SHELTERED- PROVIDE DOCUMENT  
WTP' – DVD – SEE FILM – GO TO WEB  
SITE” STEPHENCOMLEYSR.NET

DIRECT STATEMENT: SAW FILM NO WAY TO  
EVACUATE SEACOAST SAFELY OR TIMELY  
THIS APPLIES WHETHER YOUR OUTSIDE OR  
INSIDE 10-MILE RADIUS.

COUNTERFEIT SUBSTANDARD PARTS.

NEED FIRST RESPONDERS' HEARINGS  
GAG ORDERS ON MA STATE POLICE & NH  
NATIONAL GUARD BACK UP STATE POLICE.

THE WHITE HOUSE  
WASHINGTON

October 22, 1996

Mr. Stephen B. Comley  
Executive Director  
We the People, Inc. of the United States  
Post Office Box 277  
Rowley, Massachusetts 01969

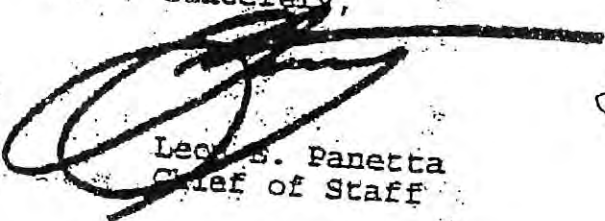
Dear Mr. Comley:

Thank you for your fax of October 10, 1996. I am sorry to hear that you have not yet received a letter from the Department of Justice regarding your concerns with the Nuclear Regulatory Commission (NRC).

Once again, I have forwarded your fax to the Department of Justice (DOJ) and asked that they respond to you directly. DOJ is the appropriate agency to assist you in dealing with your complaints with the NRC.

Again, thank you for writing.

Sincerely,

  
Leo S. Panetta  
Chief of Staff

No Reply

cc: The Department of Justice

LSP/tab



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

May 31, 1991

OFFICE OF THE  
INSPECTOR GENERAL

Mr. Stephen B. Comley  
Mansion Drive  
Rowley, MA 01960

Dear Mr. Comley:

This correspondence is provided in response to your request of Special Agent Kent E. Walker concerning the status of an allegation you forwarded to the Inspector General concerning former President Ronald Reagan. You alleged that in October 1987 you provided President Reagan with information regarding the use of counterfeit and substandard parts throughout the nuclear industry and that the former President subsequently refused to acknowledge receipt of that information. Your concerns were provided to the Federal Bureau of Investigation, Silver Spring, MD, on December 13, 1990.

Sincerely,

A handwritten signature in cursive script that reads "Leo J. Norton".

Leo J. Norton, Assistant Inspector  
General for Investigations





CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
SEAN R. REARDON, MAYOR

60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
MAYOR@CITYOFNEWBURYPORT.COM

March 7, 2022

Dear Councillors,

I am writing to inform you that the Newburyport Board of Health voted on March 2<sup>nd</sup> to appoint Laura Vlasuk as the City's new Health Director. She will begin her work with the City on March 21<sup>st</sup>, and was selected from a field of three qualified finalists. She will be the first woman selected to lead the Health Department.

Vlasuk most recently worked for the Town of Andover. She was contracted to oversee the Healthy Communities Tobacco Control Program, which serves the Towns of Billerica, Dracut, North Reading, Newbury, Salisbury, and the City of Newburyport. She also recently served as consultant to Boards of Health in the Towns of Saugus and North Andover.

Vlasuk began her career as a Health Inspector for the City of Everett. She later served in positions of increasing responsibility in the City of Malden and the Town of Reading.

Vlasuk obtained a Bachelor of Science degree in Business Administration from Suffolk University. She also holds numerous license and certifications, in areas including food preparation inspection, building and housing inspection, workplace safety, and critical incident response.

I believe she will be a great fit for the City and will bring a wide set of skills to the Health Department, as well as knowledge of the City through her work with the Healthy Communities Tobacco Control Program. I look forward to seeing what new initiatives she will develop to address the needs of our residents.

Please be in touch with my office with any questions, and I hope you will join me in welcoming Laura to the City.

Respectfully,

Sean R. Reardon  
Mayor



**LAURA VLASUK, CPO, CS, CP-FS**  
69 East Street Middleton, Ma 01949 | 617-823-5933 | lvasuk812@yahoo.com

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Objective

To effectively enforce the rules and regulations surrounding Public Health in the Commonwealth of Massachusetts and to educate the general public on the principles and practices of Public Health.

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Experience

**Saugus Board of Health | 298 Central Street, Saugus MA**

Health Consultant April 2020 – Present

- Enforce all applicable health codes within Board of Health jurisdiction including food establishments, Housing cases and nuisance complaints
- Prepare activity reports for the Health Director

**North Andover Board of Health | 120 Main Street, No. Andover MA**

Health Consultant May 2021 – Present

- Developing Health Department Ordinances and Regulations
- Drafting public advisories
- Enforce all applicable health codes within Board of Health jurisdiction including food establishments, housing cases, pools, and nuisance complaint
- Drafting regulations for Board of Health review

**Andover Board of Health | 36 Bartlet Street, Andover MA**

Healthy Communities Tobacco Control Program Contractor August 18, 2021 – Present

- Conducting inspections to facilitate compliance with 105 CMR 665.010 (E)
- Covering tobacco establishments in Billerica, Dracut, North Reading, Newbury, Newburyport and Salisbury

**Reading Board of Health | 16 Lowell Street, Reading MA**

Health Agent, May 2017 - March 2021

- Lead a team of 5 public health professionals on public health initiatives including: emergency preparedness, compliance with State Sanitary Code, State Environmental Code, local bylaw regulations, and state laws/statutes as required, including food, housing, lead, nuisance, solid waste, hazardous waste, swimming pools and subdivision regulations
- Prepared, managed and presented annual budget
- Develop public health goals and implement strategies to improve the health of the community
- Plan, promote, and coordinate vaccine clinics, disease prevention programs and multi-community projects
- Oversee all licensing and permitting of all establishments pertaining to public health
- Implement and develop new health department policies and regulations for the Board of Health

Enforce all Local, State of Massachusetts State Sanitary Code, M.G.L. Chapter 111 Public Health laws and Federal Laws as it pertains to Public Health  
Prepare minutes and monthly activity reports for a 3-member Board, and report to all Town Boards and Commissions on matters pertaining to Public Health  
Attend meetings and training regarding Emergency Preparedness (Region 3B) on a monthly basis and prepare all necessary State deliverables as required by MDPH

#### **Malden Board of Health | 110 Pleasant Street, Malden MA**

Senior Inspector, August 2015 - May 2017

Supervised a Health Department Staff of 3

Inspected and determined if a property should be classified as "Abandoned". Issued Abandoned Property Order letters, arranged to have "board up" companies secure abandoned properties, notify necessary city departments of properties that were deemed "Abandoned".

Implemented a Certificate of Habitability program and inspected all units prior to rental to ensure units met necessary safety standards in accordance with the state sanitary code prior to occupancy

Enforced all applicable health codes within Board of Health jurisdiction including food establishments, housing cases, summer camps and tanning facilities

#### **Everett Board of Health | 484 Broadway, Everett MA**

Health Inspector December 2008 – August 2015

Enforced all applicable health codes within Board of Health jurisdiction including food establishments, housing cases, summer camps, nuisance complaint and tanning facilities

Was an active member of the task force that inspected illegal rooming houses, illegal massage parlors and illegal liposuction at night in conjunction with the fire department and the building department  
Education

#### **Suffolk University – Bachelor of Science Business Administration**

##### **Licenses/Certifications/Skills**

- Food Manager License (10752)
- Plan Review for Food Establishment License (FD207)
- Licenced Temporary Food Establishments (FD108)
- Massachusetts Allergen Awareness License
- Licensed Housing Inspector
- Licensed Housing Inspector Trainer
- Certified FDA Voluntary Retail Food Program Standards
- Massachusetts Lead Determinator (4078)
- Certified Pool Operator (3m5taxc)
- Tips Certification
- Certified Stop the Bleed administrator
- Massachusetts Dept. of Public Safety Boards of Builders Regulations and Standards Construction Supervisors License (CS-107084)
- Home Improvement Contractors License (173120)
- OSHA certified (11-004053764)
- Adult/Child CPR and Choking Certified
- National Incident Command System 100, 200, 300, 400, 700 and 800 certified
- Constable
- HIPPA: Protected Health Information for Public Entities (GNSC128)
- HACCP Manager Certified
- Fluent in Italian

# **TRANSFERS**



# CITY OF NEWBURYPORT FY 2022

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

## TRANSFER/APPROPRIATION REQUEST

PM 3:45

**Department:** Finance Department

**Submitted by:** Ethan R. Manning, Finance Director

**Date Submitted:** 3/14/2022

**Transfer From:**

Account Name:	General Fund - Free Cash	Balance:	\$ 2,143,174.00
Account Number:	01-35910	Category:	\$ -
Amount:	\$250,000.00	Trans I/O:	\$ (540,894.00)

**Why Funds Are Available:**

The Massachusetts Department of Revenue certified Free Cash for FY2022 at \$2,684,068. These funds are available for any legal expenditure with the approval of the Mayor and a vote of the City Council.

**Transfer To:**

Account Name:	Compensated Absences Reserve Fund	Balance:	\$ 7,432.17
Account Number:	8270-49700	Category:	\$ -
Amount:	\$250,000.00	Trans I/O:	\$ -

**Why Funds Are Needed:**

To replenish the fund used for the payment of accrued liabilities for compensated absences, such as sick leave and vacation time, that are contractually obligated to be paid upon separation for certain eligible employees. An appropriation of \$250,000 was made in November 2021, however was quickly exhausted due to retiring employees. Retirements of public safety officers, in particular, have been higher than normal this fiscal year with leave buybacks totaling \$341,758 for four members of the Fire Department and one member of the Police Department. For perspective, total buybacks in FY21 and FY20 totaled \$74,417 and \$115,430 respectively.

Sean R. Reardon, Mayor:



Date: 3/7/2022

Ethan R. Manning, Auditor:



Date: 3/7/22

City Council Action:

**APPOINTMENTS  
FIRST READING**



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 MAR -8 AM 11:40

CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
SEAN REARDON, MAYOR  
60 PLEASANT STREET – P.O. BOX 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX  
[WWW.CITYOFNEWBURYPORT.COM](http://WWW.CITYOFNEWBURYPORT.COM)

To: President and Members of the City Council  
From: Sean Reardon, Mayor  
Date: March 8, 2022  
Subject: Appointment

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I hereby appoint, subject to your approval, the following named individual as a member of the Cultural Council. This term will expire on March 31, 2025.

Heidi Newfell  
10 Orange Street  
Newburyport, MA 01950



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# BRIDGETTE HEIDI NEWFELL

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February 7 2022

Dear Mayor Reardon

I am submitting this letter of intent to express my desire to volunteer for the Newburyport Cultural Council.

As a local artist and Newburyport resident of 25 years, I have seen just how important the arts are for our city's vitality, health and growth. We are fortunate to be home to so many talented visionary individuals who consistently enhance our local quality of life, uplift our spirits and expand our cultural experiences here at home.

I am reminded of one such event last year during a personally bleak time in the COVID crisis. I was alone in my house yet again when I heard the local Chamber music group performing on the street behind my home. As I listened, I noticed the presence of something stronger than my fears. In their gift of shared artistry I discovered a new pathway to imagining hope, connection and resilience instead of isolation. That impromptu concert reminded me that I was indeed a part of a community that supports each other, sometimes in unexpectedly, joyful ways.

I would love to put my art experience to use helping other artists realize their visions. I have personally found it healing and rewarding to combine my abilities with other artists and movements to create public art projects. I have created art work for children's health facilities in San Francisco and Kobe, Japan. I have worked in collaboration with Paula Estey on three projects during the last year and a half. I have also been a member of Art jurying committees in the past. I would be very excited to join this Council.

Thank you for your consideration,

Sincerely,

Heidi Newfell

978-270 -3760

# BRIDGETTE HEIDI NEWFELL

[Bhnewfell@gmail.com](mailto:Bhnewfell@gmail.com) ♦ 10 Orange Street, Newburyport MA 01950 ♦ 978-270-3760

## RELEVANT SKILLS

Sculpture (clay, plaster) casting, mold-making, patching, finishing, metal leaf  
Carpentry (wood refurbishing, finish-matching, veneer repair, structural furniture repairs)  
Advanced painting skills in oil, acrylic, gouache, watercolor, tempura, and inks. Exceptional color-matching.  
Paper/textile experience (printmaking, silk screening, lithography, woodblock, airbrush, and papermaking)  
Working knowledge of tile mosaics, slab ceramic and finishes, weaving, upholstery, sewing.

## EXPERIENCE

### **Paula Estes Contemporary Art Gallery** ♦ Newburyport, MA Part-time Gallerist 2015 – Present

Sales of gallery art, including paintings, photography, and sculpture  
Initiate salon series (artist talks and musical events)  
Supervision of events and openings (onsite and popups)  
Cataloging of incoming and outgoing art pieces  
Shipping/delivery details.

### **Newfell Design** ♦ Newburyport, MA

Artist/Textile Designer/Vintage Furniture Dealer 1997 – Present

*Custom furnishing developer with a particular interest in antique and vintage mid-century furniture and textiles*

Customized, repaired, and restored furniture – Antique through mid-century pieces  
Designed and created sculptures – Wire, metal wood, fiber, ceramic, plaster  
Developed and made custom lighting  
Designed and developed custom silk scarves, stationary, and kids' furnishings for Boston MFA gift catalog  
Exhibited my paintings and textiles at numerous shows, including:  
De Cordova Museum Outdoor Art Festival (Lincoln, MA)  
The Isabella Stewart Gardner Museum "Living Room" project (Boston, MA)  
Allentown Art Festival (Buffalo, NY)  
Artists in the Open and The Newburyport Art Association (Newburyport, MA)  
Redesigned interior of the Newburyport Lighthouse (Interview on WCVB TV "Chronicle")

### **Red Door Design** ♦ Newbury, MA

Interior Design Associate 2008 – 2012

*Assistant to owner/lead designer in all aspects of residential interior design projects*

Created interior design project proposals which included: budget, timeline, product specs, site outline, subcontractor list, product list, installation and delivery information, among other details  
Sourced fabrics, paints, finishes, products (e.g., furniture, flooring, tiles, textiles, accessories, lighting)  
Designed and developed custom furnishings and products.





RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 MAR -8 AM 11:40

CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
SEAN REARDON, MAYOR  
60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX  
[WWW.CITYOFNEWBURYPORT.COM](http://WWW.CITYOFNEWBURYPORT.COM)

To: President and Members of the  
City Council

From: Sean Reardon, Mayor

Date: March 8, 2022

Subject: Re-Appointment

-----  
I hereby reappoint, subject to your approval the following named individual as a member of the Waterfront Trust. This term will expire on March 31, 2027.

Dan Mello  
2B Fulton Street  
Newburyport, MA 01950

# Dan Mello

## SUMMARY OF RELATED EXPERIENCE

Dan Mello helps states and districts transform their data systems to promote systematic and high-quality data collection, management, and use for the improvement of outcomes to meet and exceed federal requirements. He leads with expert technical and adaptive skills to bring collaborators together to address the most pressing issues of the day with an eye toward systemic change. In his technical assistance work Dan identifies needs in fiscal and program IDEA data systems, aligns resources, plans technical assistance and delivers center resources to meet states' technical and adaptive needs.

For the past 8 years, Dan has focused on the improvement of IDEA data systems. Currently he co-leads a subcontract for the IDEA Data Center (IDC), where he provides expertise on the IDEA Part B Data System Framework, IDEA Section 618 data processes, IDEA Section 618 and Section 616 public reporting, and data visualization. Similarly Dan leads the subcontract for the Center for Integration of IDEA Data (CIID) and leads the team's targeted and universal technical assistance efforts to build capacity for data systems integration.

In addition to his IDEA data work, through the Regional Education Laboratories, Dan has also supported state and district leadership to plan and implement systemic improvements to address emerging data quality challenges, such as English learner, social-emotional ("soft") skills, and project-based learning data. Further, Dan has a rich history of providing evaluation and monitoring services. Currently, he serves as a lead monitor for the Department of Education's Charter School Program (CSP) Monitoring grant, where he ensures programmatic and fiscal accountability among CSP grantees.

## EDUCATION

2008 BS, Mathematics, Northeastern University

## PROFESSIONAL EXPERIENCE

2008–Present

**Senior Research Associate, Special Education Policy & Practice**  
**WestEd, San Francisco, CA**

Dan's work to lead/co-lead the subcontracts for CIID and IDC has ensured effective collaboration among staff to deliver high quality support to state offices of special education



across the country. Dan has managed resources to ensure quality support to states that are improving opportunities for students with disabilities using IDEA data.

As the lead of the CIID targeted and universal TA efforts Dan has brought together experts to prepare states for major data system integration efforts. In his role as a technical assistance provider for IDC, Dan has collaborated with his colleagues to develop and implement the Part B Data Systems Framework. Further, in his work, Dan has facilitated intensive technical assistance services – helping states identify needs, aligning center resources, and building teams to deliver high quality support.

In his work as a TA Facilitator on the Center for IDEA Fiscal Reporting, Dan builds state technical capacity to address federal fiscal reporting requirements and challenges that have arisen due to pandemic conditions. Dan’s most recent work addresses the need for standardization and integration of IDEA fiscal and programmatic data.

2017-Present

**Lead Monitor, Charter School Monitoring Program  
WestEd, San Francisco, CA**

As Lead Monitor, Dan has worked for 4 years under project management to plan, implement, and report on monitoring for innovating and expanding charter schools, charter management organizations, and SEAs supporting the development and expansion of charters in their states. Dan works with organizations to understand grant program and fiscal implementation through document review and extensive interviewing and analysis. Dan leads teams to develop reports for the U.S. Department of Education.

2008-2018

**Technical Assistance Provider, Regional Education Laboratory, REL-Northeast and Islands and REL-Mid Atlantic, funded by U.S. Department of Education, National Center for Education Evaluation and Regional Assistance  
WestEd, San Francisco, CA**

In this work, Dan engaged educators to bridge education research and practice. Dan successfully facilitated collaborative partnerships to develop and deliver onsite and virtual technical assistance to improve data in emergent education fields such as equity for English Learners, social emotional (soft-) skills, early learners, and proficiency based learning portfolios. To accomplish this, Dan developed expertise and led using the Common Education Data Standards to promote data alignment and data quality.

## **SELECTED PUBLICATIONS AND PRESENTATIONS**

Edora, F., Mello, D., Johnson, L. (2018) Part B Indicator Data Display Wizard (for of Special Education Programs, U.S. Department of Education). Rockville, MD: IDEA Data Center.



Mello, D., Long, T. (2018) Local APR Public Reporting Infographic (for of Special Education Programs, U.S. Department of Education). Rockville, MD: IDEA Data Center

Mello, D., Wise, L. (2016), IDEA Section 618 Public Reporting Checklist (for of Special Education Programs, U.S. Department of Education). Rockville, MD: IDEA Data Center

Mello, D., Watson, M., Lysy, C. (2015) IDEA Section 618 Public Reporting Requirements (for of Special Education Programs, U.S. Department of Education). Rockville, MD: IDEA Data Center

Henry, S. F., Mello, D., Avery, M.-P., Parker, C., & Stafford, E. (2017). Home Language Survey Data Quality Self-Assessment (REL 2017–198). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast & Islands. Retrieved from <http://ies.ed.gov/ncee/edlabs>.

Petrosino, A., and Mello, D. (2014). "Institutional Review Boards" Encyclopedia of Criminal Justice Ethics (as edited by Bruce A. Arrigo, University of North Carolina, Charlotte)

Bocala, C., Morgan, C., Mundry, S., and Mello, D. (2010). Do states have certification requirements for preparing general education teachers to teach students with disabilities? Experience in the Northeast and Islands Region (Issues & Answers Report, REL 2010 – No. 090). Washington, DC: US Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast and Islands. Retrieved from <http://ies.ed.gov/ncee/edlabs>

Bocala, C., Mello, D., Reedy, K., and Lacireno-Paquet, N. (2009). Features of state response to intervention initiatives in Northeast and Islands Region states (Issues & Answers Report, REL 2009 – No. 083). Washington, DC: US Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast and Islands. Retrieved from <http://ies.ed.gov/ncee/edlabs>



RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 MAR -8 PM 3:08

CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
SEAN REARDON, MAYOR  
60 PLEASANT STREET – P.O. BOX 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX  
[WWW.CITYOFNEWBURYPORT.COM](http://WWW.CITYOFNEWBURYPORT.COM)

To: President and Members of the City Council  
From: Sean R. Reardon, Mayor  
Date: March 8, 2022  
Subject: Appointment

-----  
I hereby appoint, subject to your approval, the following named individual as a member of the Planning Board. This term will expire on March 31, 2027.

Richard Yeager  
19 Water Street, Apt. 2  
Newburyport, MA 01950

---

February 1, 2022

Mayor Sean Reardon  
City of Newburyport  
60 Pleasant Street  
Newburyport, MA 01950

Mayor Reardon:

I'm writing to express my interest in being considered for the open position on the Newburyport Planning Board. I'm a resident of Newburyport, having moved to the city in August of 2020.

I believe I have the right credentials and qualifications that meet the expectations needed of serving on the Board. Although I'm a licensed architect, I've been on the "Owner's side" since 2005, working in Facility Management, first at Boston College, and now at the University of Massachusetts Amherst. My current responsibilities include that of being the chief planner for the University and leading the department responsible for the land use, real estate acquisitions, zoning, code assessment and all project planning. This also includes our current Public Private Partnership for an 800 bed undergraduate housing project with an outside developer. I'm trained as a project manager and have had experience in a number of different sectors and project types when I worked in the private sector. I also have served for twelve years, until I stepped down in 2019 as Vice-Chair of the Boston Landmarks Commission.

Thank you for your consideration. I've included my CV and Biography for your review. Please let me know if you require any additional material. I look forward to hearing from you and welcome the opportunity to be interviewed for the opening. It would be an honor to serve of the Planning Board.

Sincerely,



Richard Yeager

*Director for Campus Planning and University Architect, University of Massachusetts Amherst*

cc. Bonnie Sontag, Chair – Newburyport Planning Board  
Rick Taintor, Vice-Chair – Newburyport Planning Board

Richard A. Yeager    19 Water Street Apt. 2, Newburyport, MA 01950    770.331.3862    ryeager@umass.edu



## **Richard A. Yeager, AIA – Professional Background**

Richard Yeager has over 30 years of professional experience working as an architect and administrator for university campuses. He has contributed to and managed an extensive number of academic projects, providing a wide array of support; including design, renovation and restoration, master planning, scheduling, and budget development as well as project and construction management. He has a strong background in preservation and extensive experience in the renovation of numerous historic buildings throughout his career.

He is the University of Massachusetts, Amherst's Director for Campus Planning and University Architect in their Facilities & Campus Services Division, and oversees a campus of over 1,450 acres, and 13.4 million gross square feet of space. Yeager leads a Department of architects, designers, programmers, planners and landscape architects. He is responsible for all Master Planning, Studies, Assessments, Space Management, GIS, Real Estate and Project Initiation (both in Planning and Project Implementation).

Previously, he was the Assistant Director of Planning and Design at Boston College and led a design staff that oversaw Boston College's physical campus of over 150 buildings. He was responsible for the design and management of the Annual Capital projects on campus as well as played a critical role in BC's major projects, including architect selection and design oversight. He also had an integral role with the development of Boston College's Comprehensive Master Plan and the development of their Brighton Campus.

In 2007, Yeager was appointed a Commissioner with the Boston Landmarks Commission for the City of Boston; the official agency responsible for the stewardship of Boston's historic buildings, places and neighborhoods. In 2017, he was elected Vice-Chair of the Commission. He also served on its Design Committee as well as its Executive Committee, and numerous other sub-committees. With his departure from Boston, he stepped down from the Commission in 2019.

In 2017, he served on the Boston Society of Architects Harleston Parker Medal Annual Awards Jury, a ten member panel reviewing and determining Boston's Most Beautiful Building.

He has been a member of the Society for College and University Planning (SCUP) for over twenty years as well as a member of the Association of University Architects (AUA), and has presented at numerous conferences. He has served as Chair of the Heritage Preservation Committee for the AUA; focused on historic academic buildings, and he co-hosted their National Conference in 2013.

Yeager majored in architecture and received his Bachelor's Degree at the University of Virginia and received his Masters of Architecture degree at Yale University. He is also an adjunct faculty member of the Boston Architectural College, where he has been teaching an advanced design studio class for the past ten years.

He also is a father of two adult children who are living in Boston – both are graduates of Boston College.

# Richard A. Yeager II, AIA

## CURRICULUM VITAE

<i>Registration</i>	Registered Architect in Massachusetts since 1994 (license number 9287) Member of the AIA		
<i>Education</i>	<b>Yale University</b>	Master of Architecture	1988-1991
	<b>University of Virginia</b>	Bachelor of Science in Architecture Minor in Architectural History	1983-1987
<i>Distinction</i>	<b>UMass BRUT: Symposium on Brutalism and the Public University</b> 2019 – 2022		Amherst, MA
	Lead in creating a Think Tank that has led into a yearlong advocacy and awareness campaign recognizing UMass' Concrete Brutalist Buildings.		
	October 22-23, 2021 - Kick-off Event was a two day Symposium between UMass Amherst and UMass Dartmouth's two campuses, with outside consultant speakers and experts in their field related to Concrete Conservation. Goal was to build advocacy for the preservation of these buildings on both campuses.		
	Served on BSA <b>Harleston Parker Medal</b> Annual Awards Jury – June 2017 thru February 2018 <i>Elected 10 member panel reviewing and determining Boston's Most Beautiful Building</i>		
	<b>Association of University Architects</b> 2007 – Present		
	Served as the Co-Host along with MIT in 2013 for the national annual conference of the AUA. Responsibilities included all logistical planning, on-site needs, coordinating work responsibilities among core committee members, production of maps, program book and numerous hand-outs.		
	Served on Programming Committee for 2010 national annual conference of the AUA, held at Johns Hopkins University. Served on Programming Committee for 2018 national annual conference held in Philadelphia at the University of Pennsylvania. Chaired the Heritage Preservation Committee of the AUA from 2014 - 2018. A 26 member committee focusing on preservation of academic buildings and have presented at the national conferences.		
	Currently serve as the AIA – CEU Reporter; I manage the Continuing Education Credits and other professional requirements to support members' ongoing education, certificates and licensure requirements.		
<i>Recognition</i>	<b>Boston Landmarks Commission</b> 2007 – 2019		Boston, MA
	Elected to the Boston Landmarks Commission (BLC) for the City of Boston in 2007 as an alternate, elevated to full status in 2015, and elected to Vice-Chair in September 2017 - 9 member panel <i>The BLC serves as the stewards of Boston's historic buildings, places and neighborhoods.</i>		
	Elected in 2011 to serve on the Design Review committee for the Boston Landmarks Commission – 3 member panel to review design proposals for protected buildings		
	Served on Sub-Committees for Christian Science Monitor Landmark Designation, CITGO Sign Preservation, and Wolbach Building Study with Children's Hospital. Elected in 2015 to the Executive Work Plan Committee. Nominated and successfully landmarked Winthrop-Carter Building in 2016.		
	Served as a Commissioner on the Bay Village Architectural Commission and the Bay State Road / Back Bay West Architectural Conservation District Commission		



Richard A. Yeager II, AIA

CURRICULUM VITAE

*Experience  
Continued*

- Architect Selection for Annual and Majors projects
- Waterworks – High Service Building Study
- Development of BC's Capital History of its Chestnut Hill Campus (*mapped its history*)

**Ayers/Saint/Gross Architects + Planners**

Baltimore, MD

2004 – 2005

Split my time as the Business Development officer for the firm, as well as a Project Manager for a number of projects in the Student Life Architectural Studio. Coordinated the firm's objectives for a number of conferences, including SCUP and ALA. Project Management Experience includes:

- Mount Saint Mary's University, Emmitsberg, Maryland  
*The Terrace Residence Halls (\$14 million renovation)*
- Case Western Reserve University, Cleveland, Ohio  
*North Residential Village and Greek Housing Master Plan Study*
- University of Maryland Baltimore County, Baltimore, Maryland  
*University Center Student Services Feasibility Study*

**Shepley Bulfinch Richardson and Abbott**

Boston, MA

1996 – 2004

Directly involved in the Education Practice Group as a Project Manager and Business Development Officer. Responsibilities include client contact and research, proposal presentations, construction administration and project architecture with a focus on the planning and programming of Student Life buildings in Higher Education institutions. Proficient at Microsoft Office, Adobe Photoshop and Illustrator, Pagemaker, and Microstation (CADD). Project Management Experience includes:

- The Lovett School, Atlanta, Georgia  
*Athletic Feasibility Study, Campus Master Plan, New Middle School Study  
New Upper School and Loudermilk Student Activities Center (\$55 million in new construction)*
- Keene State College, Keene, New Hampshire  
*New Campus Dining Commons (\$15 million in new construction)*
- Rollins College, Winter Park, Florida  
*Cornell Campus Center and Rice Family Bookstore and Café  
Campus Master Plan*
- The Westminster Schools, Atlanta, Georgia  
*Campus Master Plan*
- Agnes Scott College, Atlanta, Georgia  
*Master Plan for Building Roofs*
- Christopher Newport University, Newport News, Virginia  
*Library and Student Center Programming*
- Macalester College, St. Paul, Minnesota  
*Student Recreation Center Study in association with Brailsford & Dunlavy*
- Dana Hall School, Wellesley, Massachusetts  
*Bardwell Hall Feasibility Study*
- Colby College, Waterville, Maine  
*Campus Master Plan*

**William Rawn Associates**

Boston, MA

1992 – 1996

Worked primarily on buildings in the Higher Education market as well as Concert and Performance Halls. Responsibilities included proposal writing, project coordination, construction administration, and presentations. Project Experience includes:



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
SEAN REARDON, MAYOR  
60 PLEASANT STREET – P.O. BOX 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
978-465-4402 FAX  
[WWW.CITYOFNEWBURYPORT.COM](http://WWW.CITYOFNEWBURYPORT.COM)

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 MAR -8 PM 3:08

To: President and Members of the City Council  
From: Sean R. Reardon, Mayor  
Date: March 8, 2022  
Subject: Appointment

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I hereby appoint, subject to your approval, the following named individual as a member of Commission on Disabilities. This term will expire on March 31, 2025.

Sophie Korpics  
26 Dove Street  
Newburyport, MA 01950

Sophie Korpics  
[korpicssophie@gmail.com](mailto:korpicssophie@gmail.com)  
26 Dove Street  
Newburyport, MA  
(m) 978-908-9658

February 28,2022

Mayor Sean Reardon  
Newburyport City Hall  
60 Pleasant St.  
Newburyport MA 01950

Dear Mayor Reardon,

As a person who's dedicated to enhancing the lives of individuals with disabilities, I'm very excited to become a member of The Newburyport Commission on Disabilities. I'm also excited to offer my unique perspective to the Commission and to gain more professional experience as an advocate. As a member, I will work with Kristen Farrell to try to make Newburyport's playgrounds more accessible. I look forward to being a reliable and effective team member helping to improve life for all citizens.

Sincerely,  
Sophie Korpics

## SOPHIE M. KORPICS

26 Dove Street, Newburyport, MA 01950 - [korpicssophie@gmail.com](mailto:korpicssophie@gmail.com) - 978.908.9658

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### SELECTED SKILLS AND EXPERIENCE

- Creating short surveys in Qualtrics and working in Google Forms
- Conducting semi-structured qualitative interviews
- Quantitative and qualitative data analysis and reporting
- Redrafting and editing policy
- Effective public speaker with strong interest in Special Education

Intern – Massachusetts State House, Boston, MA

Summer 2019

- Under the guidance of State Representative James Kelcourse, conducted research on current accessibility concerns of public transport systems including the MBTA and MBCR (Keolis) in Massachusetts
- Met with multiple stakeholders including the elderly on the Northshore and the Director of the Department of Veterans Affairs Office Administration to obtain perspectives on opportunities for improvement
- Created written log, PowerPoint presentation and video, documenting personal experiences commuting to and from the State House over a 7-week period
- Presented findings to State Governor Charlie Baker's staff

<https://m.youtube.com/watch?v=0mZKfGrZzKc>

[https://www.newburyportnews.com/news/local\\_news/local-woman-fights-for-better-mbta-access/article\\_698687db-cf57-5168-86ad-327de2a8e428.html](https://www.newburyportnews.com/news/local_news/local-woman-fights-for-better-mbta-access/article_698687db-cf57-5168-86ad-327de2a8e428.html)

Intern – Massachusetts State Representative James Kelcourse  
Newburyport, MA

Summer 2018

- Analyzed amendments to state bill affecting individuals with disabilities
- Researched state policy regarding installment of sidewalk curb cuts
- Advocated for a meeting with representatives of the Massachusetts Department of Transportation at the Massachusetts State House, presenting my case for an accessible curb cut in front of the Arc office in Newburyport
- Successfully convinced a Representative of the Office for Civil Rights to follow through on the completion of my request

[https://www.newburyportnews.com/news/local\\_news/newburyport-woman-pushes-for-improved-accessibility/article\\_6f45a3d9-ecd5-507d-bc9d-c873b132705e.html](https://www.newburyportnews.com/news/local_news/newburyport-woman-pushes-for-improved-accessibility/article_6f45a3d9-ecd5-507d-bc9d-c873b132705e.html)

**Intern – The Arc of Greater Haverhill  
Newburyport, MA**

**Summer 2018**

- Researched and documented personal experience utilizing several types of public transportation
- Collaborated with agency manager and State Representative James Kelcourse in identifying accessible transportation options offered on the Northshore
- Documented challenges regarding sidewalk accessibility via video
- Created blog for utilization as a resource for self-advocacy and independent living

**Intern – The Arc of Greater Haverhill  
Newburyport, MA**

**Summer 2017**

- Researched and advocated for better office accessibility and transportation options by reaching out to local and state representatives
- Provided input about high school to college experiences for people with disabilities
- Offered ideas for the development of recreation and enrichment programs for adults with developmental disabilities

**Speaking Engagement and City Council Involvement  
Newburyport, MA**

**2015-2016**

Attended and participated in several Newburyport City Council meetings. Acted as a strong advocate for the residents of my street by speaking up about the need for replacement and accessibility of our sidewalks. Shadowed day to day work of City Councilor Robert Cronin. Observed Chamber of Commerce meetings to gain understanding of local political processes.

## **EDUCATION**

- Master of Public Policy- University of Massachusetts, Amherst MA
- Bachelor of Science in Political Science- University of Massachusetts, Amherst MA
- Newburyport High School Honor Student 2013, 2014, 2015 and 2016

## **ACTIVITIES**

- Volunteer Dramaturg Firehouse Center For The Arts Newburyport, MA
- Member of the UMass Theatre Guild 2017-2021
- Supervised daily work of 5+ Personal Care Attendants 2016-2021

**END OF CONSENT AGENDA**

**BEGINNING OF REGULAR AGENDA**

**APPOINTMENTS  
SECOND READING**

# **ORDERS**



# CITY OF NEWBURYPORT



## IN CITY COUNCIL

### ORDERED:

February 28, 2022

**THAT** the City Council of the City of Newburyport approves the following Licensed Contractor application for the 2022 construction year for Water, Sewer, Drain Layer, Roadway, and Sidewalk work:

Boston North Development Excavation Services LLC  
3 Graf Road  
Unit 14  
Newburyport, MA 01950

---

Councillor L. Vogel



CITY OF NEWBURYPORT  
RECORDED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 FEB 15 AM 11:44

DEPARTMENT  
OF  
PUBLIC SERVICES

## MEMORANDUM

ANTHONY J. FURNARI  
DIRECTOR

**TO:** Richard Jones, City Clerk  
**FROM:** Anthony Furnari, DPS Director *af*  
**DATE:** 2/9/22  
**RE:** Licensed Contractor Application

---

JAMIE TUCCOLO  
DEPUTY DIRECTOR /  
DIRECTOR OF OPERATIONS

Enclosed is a copy of a new Licensed Contractor application with bond and references to be forwarded to the city council for approval for;

16A PERRY WAY  
NEWBURYPORT, MA 01950

Boston North Development Excavation Services LLC

TEL: 978-465-4464

FAX: 978-465-1623

WWW.CITYOFNEWBURYPORT.COM

For the following work;

Water Service  
Sewer Service  
Drain Laying  
Roadway  
Sidewalk

Thank you for your attention to this matter.



**CITY OF NEWBURYPORT**  
**DEPARTMENT OF PUBLIC SERVICES**  
 16A PERRY WAY  
 NEWBURYPORT, MA 01950

\$ 500.00

ANTHONY J. FURNARI, DIRECTOR  
 JAMIE TUCCOLO, DEPUTY DIRECTOR

PHONE: 978-465-4464  
 FAX: 978-465-1623

**Application to become a  
 Licensed Contractor**

Submit **completed** application to the above address

Today's Date: 11/24/2022

Name of Company: Boston North Development Excavation Services LLC

Name of Owner: Ben Perez

Contact Person: Ben Perez

Street Address: 3 Golf Rd Unit 14 City: Newburyport State: MA Zip Code: 01950

Phone #: 603 944 0516 Cell #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Insurance Certificate #: \_\_\_\_\_ Policy Expiration Date: \_\_\_\_\_

Name and Contact Information of Insurer: Eastern insurance - Richard Campbell

Bond # \_\_\_\_\_ Bond Expiration Date: \_\_\_\_\_

**Type of Work Qualified for: (check all that apply)**

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Water Service/Main        | <input checked="" type="checkbox"/> Sewer Service/Main | <input checked="" type="checkbox"/> Drain Laying |
| <input checked="" type="checkbox"/> Roadway (incl. curb cuts) | <input checked="" type="checkbox"/> Sidewalk           |  |
| <input type="checkbox"/> Gas                                  | <input type="checkbox"/> Electric                      | <input type="checkbox"/> Communications          |

**Submit the Following with this completed Application:**

- **Certificate of Insurance incl. Worker's Compensation Insurance Affidavit** (per M.G.L. .c152)
- **\$5000 Bond ORIGINAL ONLY** (\$10,000 Bond for laying Wire or Conduit)
- **\$500 Check non-refundable payable to City of Newburyport** (not required for ROW Occupancy)
- **Minimum 3 Municipal References within the last 5 years** (Renewals do not require references)





# City of Methuen, Massachusetts

## Department of Public Works

The Searles Building, 41 Pleasant Streets, Suite 205

Methuen, Massachusetts 01844

Telephone: 978-983-8867

To whom it may concern,

December 15, 2021

My name is Jim Burgess, City of Methuen City Collection System Superintendent. I have been employed by the city for 53 years, in this department.

Dana Chouinard of Boston North Development Co., previously of T.L. Norton Co. Inc., I would recommend this firm with no issues of workmanship and professionalism of the firm and employees.

If you need any further information from me, please contact me.

Jim Burgess  
508-509-2179



# Haverhill

Engineering Department, Room 300  
Tel: 978-374-2335 Fax: 978-373-8475  
John H. Pettis III, P.E. - City Engineer  
[JPettis@CityOfHaverhill.com](mailto:JPettis@CityOfHaverhill.com)

December 6, 2021

To whom it may concern,

Dana Chouinard previously worked in the City of Haverhill for Boston North under former licensed and bonded drain layer Ted Norton. Relative to that, we found Mr. Chouinard to competently perform his construction activities in full compliance with City requirements.

Sincerely,

John H. Pettis III, P.E.  
City Engineer



LICENSE OR PERMIT BOND

KNOW ALL BY THESE PRESENTS, That we, Boston North Development Excavation Services LLC  
as Principal, of 3 Henry Graf Jr. Road, Unit 14  
(Street and Number)

Newburyport Massachusetts and the  
(City) (State)

Hartford Fire Insurance Company, a Connecticut corporation, as Surety, are held and firmly bound unto  
Town of Newburyport

16 C Perry Way, Newburyport, MA 01950, as Obligee, in the sum of  
Five Thousand AND 00/100 Dollars (\$ 5,000 )

for which sum, well and truly to be paid, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals, and dated this 25th day of January, 2022

THE CONDITION OF THIS OBLIGATION IS SUCH, That WHEREAS, the Principal has been or is about to be granted a license or permit to do business as Drainlayer Permit Bond  
by the Obligee.

NOW, THEREFORE, if the Principal well and truly comply with applicable local ordinances, and conduct business in conformity therewith, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER:

1. This bond shall continue in force:  
 Until January, 25th, 2023, or until the date of expiration of any Continuation Certificate executed by the Surety

OR

Until canceled as herein provided.  
2. This bond may be canceled by the Surety by the sending of notice in writing to the Obligee, stating when, not less than thirty days thereafter, liability hereunder shall terminate as to subsequent acts or omissions of the Principal.

Boston North Development Excavation Services LLC  
Principal

Hartford Fire Insurance Company

By   
Ellen J. Young, Attorney-in-Fact

# POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-11

One Hartford Plaza

Hartford, Connecticut 06155

Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: EASTERN INSURANCE GROUP LLC/PHS

Agency Code: 08-080624

- Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint Ellen J. Young

its true and lawful Attorney-in-Fact, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge the following bond, undertaking, contract or written instrument:

Bond No. 08BSBIU7309

Naming Boston North Development Excavation Services LLC as Principal, and Town of Newburyport as Obligee,

in the amount of See Bond Form(s) on behalf of Company in its business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



*Shelby Wiggins*

Shelby Wiggins, Assistant Secretary

*Joelle L. LaPierre*

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

On this 20th day of May, 2021, before me personally came Joelle LaPierre, to me known, who being by me duly sworn, did depose and say: that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that (s)he signed his/her name thereto by like authority.



*Jessica Ciccone*

Jessica Ciccone  
My Commission HH 122280  
Expires June 20, 2025

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of January 25, 2022.

Signed and sealed in Lake Mary, Florida.



*Keith D. Dozois*

Keith D. Dozois, Assistant Vice President







The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 Office of Investigations  
 Lafayette City Center  
 2 Avenue de Lafayette, Boston, MA 02111-1750  
 www.mass.gov/dia

**Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers**

**Applicant Information**

Please Print Legibly

Name (Business/Organization/Individual): Boston North Development Excavation Services LLC

Address: 3 Graf Rd unit 14

City/State/Zip: Newburyport MA 01950 Phone #:

**Are you an employer? Check the appropriate box:**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> I am an employer with <u>5</u> employees (full and/or part-time).*   | 4. <input type="checkbox"/> I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance.†  |
| 2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.] | 5. <input type="checkbox"/> We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.] |
| 3. <input type="checkbox"/> I am a homeowner doing all work myself. [No workers' comp. insurance required.] †   |  |

**Type of project (required):**

- |   |
|---|
| 6. <input type="checkbox"/> New construction                    |
| 7. <input type="checkbox"/> Remodeling                          |
| 8. <input type="checkbox"/> Demolition                          |
| 9. <input type="checkbox"/> Building addition                   |
| 10. <input type="checkbox"/> Electrical repairs or additions    |
| 11. <input type="checkbox"/> Plumbing repairs or additions      |
| 12. <input type="checkbox"/> Roof repairs                       |
| 13. <input checked="" type="checkbox"/> Other <u>Excavation</u> |

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

† Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.

‡ Contractors that check this box must attach an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

**I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.**

Insurance Company Name: Eastern Insurance

Policy # or Self-ins. Lic. #: WCC 5005021388202A Expiration Date: 1/29/2023

Job Site Address: \_\_\_\_\_ City/State/Zip: Newburyport MA 01950

**Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).**

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

**I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.**

Signature: [Signature] Date: 2/8/2022

Phone #: 603 944 0516

**Official use only. Do not write in this area, to be completed by city or town official.**

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (check one):

1.  Board of Health 2.  Building Department 3.  City/Town Clerk 4.  Electrical Inspector 5.  Plumbing Inspector 6.  Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

## **Ad Hoc Committee on Adaptive Reuse of Brown School Property**

Pursuant to Council Rule 7, the Ad Hoc Committee on Adaptive Reuse of the Brown School Property is hereby established for this two-year legislative session upon the following terms and conditions.

### **Purpose & Goal**

The Committee will be charged with reaching consensus for a viable “highest and best” future use(s) of the Brown School building and property. The deliverables include a written report and recommendation to the full Council and Mayor. The Ad Hoc Committee will review prior studies, Council actions, community and neighborhood input, and guidance from key stakeholders with expertise and familiarity with the existing facility and any proposed future use(s).

### **Members:**

1. Councillor Cameron, At-Large, Chair of Planning and Development Committee (Ad Hoc Chair)
2. Councillor Donahue, Ward 2
3. Councillor Preston, At-Large, Member of Planning and Development Committee
4. Councillor Wallace, Ward 4, Member of Planning and Development Committee
5. Councillor Zeid, Ward 1

### **Ex Officio (Non-Voting) Members:**

1. Mayor Sean Reardon
2. Planning Director Andy Port
3. Designee of Mayor Reardon
4. Madeline Nash, Co-Chair, Newburyport Affordable Housing Trust
5. Karen Wiener, Member of Newburyport Affordable Housing Trust

### **Proposed Timeline:**

1. **Facility Walkthrough & Review of Prior Reports** (feasibility studies, environmental assessments, etc.) **[March]**
2. **Committee Meetings with key stakeholders** (e.g. AHT, NYS, Facilities Manager, Office of Planning & Development, etc.) **[March]**
3. **Public Meeting(s) with Brown School neighborhood and other interested stakeholders** (e.g. AHT, NYS, Ward Councilors, Facilities Manager, Office of Planning & Development, etc.) **[April]**
4. **Committee Meetings to discuss scope and basic terms for adaptive reuse(s):** **[April]**
  - a. Preservation of the Main Building and Playground Area
  - b. Adaptive Reuse for Housing (type, feasible and appropriate unit/parking count, target population, %/level of affordability/affordability mix)
  - c. Renovation/Reuse vs. Demolition of the Existing Gym Space



- d. Mitigation of potential neighborhood impacts such as parking, snow parking, traffic.
- e. Additional terms for any partner (non-profit or developer) to be included in a Request for Proposals (RFP)
5. **Submit Written Report and Recommendations to City Council and Mayor [May]**
6. **Draft Request for Proposals (RFP) and any appropriate/required zoning amendments [May]**
  - a. Assistance from Office of Planning & Development, based on parameters outlined by the Committee.
7. **Issue Request for Proposals (RFP) and sponsor any appropriate/required zoning amendments if necessary [June]**
8. **Review RFP Responses and Select Highest Ranked Responsive Proposal [July-August]**
9. **Ad Hoc Disbands with further activities managed by Administration and as needed City Council**
10. **Draft/sponsor Council action for disposition (by sale or lease) (defined portions as applicable) [September]**
11. **Disposition Process (e.g. lease/deed execution, closing) [October-November]**
12. **Permitting (non-profit/developer partner) [December – February 2023]**
13. **Construction Start [March-April 2023]**

---

Council President Heather L. Shand

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

## **AN ORDER APPROVING CONTINUED DESIGN WORK FOR THE MARKET LANDING PARK EXPANSION PROJECT VISITOR CENTER/BATHROOM FACILITY**

**WHEREAS**, Order 296 (*ORDR296\_10\_25\_2021*) included the appropriation of funds for final design of a Visitor Center/Bathroom Facility as part of the Market Landing Park Expansion project; and

**WHEREAS**, said Order requires that the designer (Sasaki) return to the City Council for authorization to proceed beyond 25% schematic design deliverables to the remaining seventy-five percent (75%) and one hundred percent (100%) design submissions, in accordance with Sasaki's existing contract (Scope of Work Task 7); and

**WHEREAS**, Sasaki has provided the Council (*and its Ad Hoc Committee on Market Landing Park Expansion*), an update regarding the progress of said 25% schematic design, and the Council has in turn provided guidance relative to several key design factors integral to the design of this facility; and

**WHEREAS**, Sasaki has received this guidance from the Council (*and its Ad Hoc Committee on Market Landing Park Expansion*), with a directive to make applicable changes to the project plans; and

**WHEREAS**, continued delay to the progress of facility design, and associated park design in relation to this facility, may result in increased cost to the City, and adverse impact to the schedule for deliverable of "shovel ready" construction plans later this year;

**NOW, THEREFORE**, the City Council hereby authorizes Sasaki to proceed to the remaining seventy-five percent (75%) and one hundred percent (100%) design submissions (Sasaki Contract Task 7), pursuant to said Order 296.

---

Councillor Heather L. Shand

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

## **AN ORDER APPROPRIATING ARCHITECTURAL DESIGN FUNDS FOR MARKET LANDING PARK EXPANSION & VISITOR CENTER/BATHROOM FACILITY**

**WHEREAS**, Order 284 included the appropriation of funds for final design of Market Landing Park Expansion (*Sasaki Contract Task 7*) using former Newburyport Redevelopment Authority (NRA) revenues transferred to the City on dissolution; and

**WHEREAS**, due to limited remaining NRA revenues transferred to the City, said Order 284 does not include appropriation of funds for final design of the proposed Visitor Center/Bathroom Facility; and

**WHEREAS**, there is value in the City proceeding on parallel track with final design for said Facility in conjunction with final design for Market Landing Park Expansion; and

**WHEREAS**, it is crucial that formal consensus be reached on the final architectural design of said Facility;

**NOW, THEREFORE**, the City Council hereby orders the following:

1. The City appropriates the sum of \$206,800 (quoted design fee plus 10% contingency) from Downtown Paid Parking Revenues for the final architectural design of such facility (*Sasaki Contract Task 7*); and
2. Authorizes Sasaki Associates to proceed to initial twenty-five (25%) schematic design of such facility in coordination with plans for the surrounding Market Landing Park Expansion, and then to return to the City Council for authorization to proceed to the remaining seventy-five percent (75%) and one hundred percent (100%) design submissions (*Sasaki Contract Task 7*).

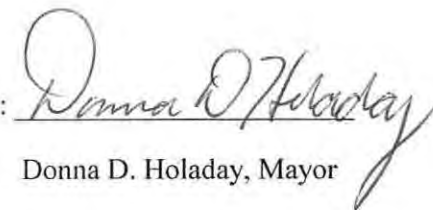
  
Councillor Sharif I. Zeid  
  
Councillor Jared J. Eigerman

**In City Council October 25, 2021:**

Motion to refer to Ad Hoc Committee on Market Landing Park by Councillor Zeid, seconded by Councillor Tontar. Roll call vote. 10 yes, 1 absent. Motion passes.

**In City Council December 13, 2021:**

Motion to approve by Councillor Tontar, seconded by Councillor Vogel. Motion to amend to strike \$187,825 and replace with \$206,800 by Councillor Tontar, seconded by Councillor Vogel. Roll call vote. 8 yes, 3 no (BL, SZ, JD). Motion passes. Roll call vote on motion to approve as amended. 8 yes, 3 no (BL, SZ, JD). Motion passes.

Approve:   
Donna D. Holaday, Mayor

Attest:   
Richard B. Jones, City Clerk

Date: 12/21/21

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

March 14, 2022

**THAT** the City Council of the City of Newburyport hereby establishes, by a two-thirds vote, a Parklet Maintenance Stabilization Fund in accordance with Massachusetts General Laws Chapter 40, Section 5B. Said fund shall be utilized for ongoing maintenance and operations of city parklets, as well as, future replacement of said parklets. Appropriations into the Fund are done by a majority vote of the City Council, while appropriations out of the Fund require a two-thirds vote of the City Council.

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Councillor Sharif I. Zeid

---

Councillor James J. McCauley



# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

March 14, 2022

**THAT** the City Council of the City of Newburyport, by a two-thirds vote, hereby dedicates all or a percentage, which may not be less than 25 percent, of the Parklet Permit Fee to the Parklet Maintenance Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for fiscal year 2023 beginning on July 1, 2022 or take any other action relative thereto.

**FURTHER THAT** 100% of the Use of the Public Way – All Except Sidewalks Fee is dedicated to the Parklet Maintenance Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for the fiscal year 2023 beginning on July 1, 2022.

---

Councillor Sharif I. Zeid

---

Councillor James J. McCauley

# **ORDINANCES**

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

January 31, 2022

AN AMENDMENT TO AN ORDINANCE TO ADD A NEW HANDICAPPED PARKING SPACE PURUSANT TO SECTION 179 OF CHAPTER 13 (TRAFFIC AND MOTOR VEHICLES) OF THE MUNICIPAL CODE

Be it ordained by the City Council of the City of Newburyport as follows:

Chapter 13	Traffic and Motor Vehicles
Article 4	Specific Street Schedules
Division 6	Stopping, Standing and Parking
Section 13-179	Handicapped Zones

***Amend Section 13-179 by inserting a new line, as follows, with deletions ~~double-stricken through~~, and additions double-underlined:***

No person, without a duly authorized handicapped vehicle registration or placard, as described in M.G.L.A. c. 90, § 2 shall park a vehicle in any of the following described parking spaces as designated by signs and symbols:

Liberty Street

One (1) space on the northerly side east of the driveway at 23 Liberty Street.

---

Councillor James J. McCauley

**In City Council January 31, 2022:**

Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Vogel. Roll call vote. 11 yes. Motion passes.

**In City Council February 28, 2022:**

Motion to approve on first reading by Councillor McCauley, seconded by Councillor Donahue. Councillor McCauley accepted the friendly amendment by Councillor Khan to remove the A from M.G.L.A. reference. Motion to approve on first reading as amended by Councillor McCauley, seconded by Councillor Donahue. Roll call vote. 11 yes. Motion passes.

## **COMMITTEE ITEMS**

# **Ad Hoc Committee on Economic Development**

## **March 14, 2022**

### ***In Committee:***

- ODNC098\_10\_12\_2021      Permanent Parklets Legislation

# CITY OF NEWBURYPORT



## IN CITY COUNCIL

### ORDERED:

October 12, 2021

#### Sec. 12-1. Obstructing streets, sidewalks, parks generally.

- a. *Generally.* No person shall occupy, encumber or obstruct any public way (including but not limited to streets, sidewalks) or park by means of boxes, crates, advertising signs, barrels, or other things, or in any other way hinder or obstruct the convenient use of the streets or sidewalks and other ways by any vehicles or pedestrians.

#### Sec. 12-1.8 Use of the Public Way - Sidewalk

##### (a) *Food service establishments utilizing the sidewalk*

- (1) Section 12-1 shall not apply to any restaurant or food service establishment located on a sidewalk and which is restricted to pedestrian traffic only and which has a sidewalk of no less than five (5) feet in width. Any such restaurant or food service establishment seeking to place tables/chairs on a sidewalk shall apply for a license from the city council.
- a. *Initial License* . May be issued for a period of one (1) year subject to city council approval by majority vote.
- b. *Renewal licenses.*
1. No material changes - may be issued for a period of two (2) years subject to administrative approval by the city clerk.
  2. Material changes - may be issued for a period of one (1) year subject to city council approval by a majority vote.
- c. Said license shall be valid during any calendar year for which a valid license has been issued. The city clerk shall notify in writing any business with an expiring license of such expiration no later than sixty (60) days prior to the expiration date.
- d. Any condition of approval and submitted plan shall be in force for the entire duration of any validly issued license. Any validly issued license can be revoked at any time by super majority vote of the city council.
- (2) The area occupied by said tables shall not exceed in width the frontage of said restaurant or food service on the sidewalk. Said tables shall be solely for the exclusive use of customers of said restaurant or food service establishment.
- (3) Evidence of liability insurance with minimum coverage in the amount of one million dollars (\$1,000,000), naming the city of Newburyport as co-insured, and in force for the duration of the approved period of occupancy shall be required with all applications.

- (4) Evidence that such license would not create a condition wherein the sidewalk narrowed below 5' in any position and attestation that continued internal monitoring will be done regarding maintaining the width of the sidewalk.
- (5) A signed Release and Indemnity Agreement as provided by the City Clerk shall be required with all applications.
- (b) Fees are hereby established for this subsection and are inserted accordingly into the Municipal Fee Schedule.

**Sec 12-1.9 – Use of the Public Way – ~~Streets~~All Except Sidewalks (“Parklets”)**

- a) 12-1 shall not apply to any business or other organization (hereinafter the “Applicant”) that occupies ground-level space (hereinafter the “Business Premises”) on a public street.

Such applicant may submit a written application to the city clerk on a timeline set by the city clerk to obtain a license to place and maintain tables, chairs on the public street, including, without limitation, portions of public street.

The area of a public street to be occupied by such tables, chairs, and/or merchandising displays shall not exceed in width the frontage of the Applicant’s Business Premises upon such public street.

Generally, a “parklet” is a sidewalk extension that provides more space and amenities for people using the street. Usually, parklets are installed on parking lanes and uses one or more parking spaces. Parklets typically extend out from the sidewalk at the level of the sidewalk to the width of the adjacent parking space.

**~~a)~~b) License Parameters**

- a. License area. The area of a public street to be occupied by such tables, chairs, and/or merchandising displays shall not exceed in width the frontage of the Applicant’s Business Premises upon such public street.
- b. Licenses may be requested annually for a period not to start before May 1<sup>st</sup> or to end after October 31<sup>st</sup>. Licensees may be required to remove materials in the event of a significant weather event.

**~~b)~~c) Application Process**

- a. For the use of City Land shall be made to the city clerk, on forms prepared in conformance with this section. Such application may be submitted to the Clerk in a form the Clerk so prescribed (email, paper, digital, etc).
- b. The initial deadline for the application shall be set by the City Clerk for each calendar year.
- c. Completed Applications shall be placed on the next available agenda of the City Council for referral to its Committee on License and Permits per Council Rules and procedure.
- d. After hearing by the Committee on Licenses and Permits and recommendation for approval, and upon approval by the City Council for the use of the City Land, the city clerk shall transmit such approval to the Newburyport License Commission (the “License Commission”), which shall hold a public hearing to approve, disapprove, or approve the application with conditions.
- e. The License Commission shall hold a public hearing regarding all applications wherein the City Council has approved the use of the City Land under this subsection 12-1, and may consider multiple applications at one hearing. After such hearing, the board shall render its written decision regarding each such application, which shall be to approve, to disapprove, or to approve with conditions. The License Commission shall conduct any hearing in compliance with any other governing law, regulation or ordinance.



- f. Approval of the application for use shall be at the sole discretion of the City Council, and, without limiting or defining the sole discretion of the City Council in making its decision, the City Council may but is not required to the input of neighbors, other residents and nearby business owners, the degree to which the proposed use accommodates its shared use with members of the public, and any frustration of the City Land's primary use by the public.

**~~d~~) Application Requirements**

- a. Application shall include the following, at minimum:
- i. Written authorization signed by the Applicant's landlord acknowledging and agreeing to the use of the adjacent portion of any ~~Public~~public streetway;
  - ii. Evidence of liability insurance with minimum coverage in the amount of one million dollars (\$1,000,000), naming the city of Newburyport as co-insured, and in force for the duration of the approved period of occupancy; and
  - iii. A clear, legible diagram of the proposed area of occupancy, no smaller than 8½-inches by 11-inches, detailing the following, which shall be in addition to any other requirements of law, regulation or ordinance, including state alcohol law. Such diagram shall demonstrate compliance with MAAB CMR 521 and all other Americans with Disabilities Act ("ADA") requirements.
  - iv. The perimeter of such area, with relevant linear dimensions;
  - v. If such area includes portions of a public street traveled by vehicles, then the public, vehicular path of travel, no less than eleven (11) feet in width, or wider as may be required by the City Engineer;
  - vi. All relevant obstacles such as streetlights, signs, trees, etc.; and
  - vii. All tables, chairs, seats, total seating count and total occupancy,
  - viii. The area of occupancy must be enclosed by a fence, rope or other means to control access and demarcate the area proposed for the service of food and alcohol or the sale of retail goods;
  - ix. Proof, in the form of registered mail receipts and written attestation, as to compliance, of notice of the application sent via registered mail, return receipt requested within seven (7) days of the filing of the completed application with the city clerk, to each of the persons appearing upon the assessors' most recent valuation list as the owners of the property immediately adjacent to the Applicant's Business Premises, and to the address of any businesses within 100 feet of the Applicant's Business Premises. The notice shall set forth the name of the applicant in full, a description of the space on the Public street and area covered in the application, the use of the same, and the street and number.
  - x. Where the City Land is under the jurisdiction of another city body, commission or entity, approval of such use by the relevant city body, commission or entity.
  - xi. Whether such Applicant has applied or intends to also apply for a Sidewalk permit under 12-1.8.
  - ~~xii.~~ A signed Release and Indemnity Agreement as provided by the City Clerk.

**~~e~~) Fees**

- a. Fees are hereby established and are inserted accordingly into the Municipal Fee Schedule. Any fees collected under this subsection shall be directed to a Parklet Receipts Reserved for Appropriation Fund.

**~~Sec 12-1.9 Outdoor Dining in Public Parks~~**

- ~~a) Ongoing outdoor dining (this excludes dining that may occur in the context of an event) in a public park shall not be permitted with the exceptions of 1) Inn St (until such exception is eliminated by amending this ordinance) and 2) Brown Square (through 12/31/2024).~~

- ~~b) The manner of use of a public park for ongoing outdoor dining is to be prescribed by the Parks Commission and such use shall be approved by the Commission and by the City Council in accordance with the process laid out in 12-1.8.~~
- ~~c) The fee for utilization of a public park for ongoing outdoor dining is hereby established and inserted into the Municipal Fee Schedule accordingly. Any fees collected under this subsection shall be directed into the Parks Revolving Fund.~~

**Sec 12-1.10 – General License Terms, Fines, and Enforcement**

- a. Bare license. The City Council, License Commission and any other boards, commissions or city entities with jurisdiction of public street shall have no obligation whatsoever to approve any application submitted under Section 12, each of which shall be processed, reviewed, and a determination thereon made by the relevant city officers, boards, and commissions in their sole discretion.
- b. Any condition of an approved license under Section 12 shall be in force for the entire duration of any validly issued license.
- c. Any license issued under Section 12 may be revoked at any time by supermajority vote of the city council, after a public hearing, for any reason, or no reason.
- d. Prosecution of violations of this section 12-1 shall be non-criminal disposition as provided in M.G.L., c. 40, § 21D, as may be amended from time to time, the provisions of which are incorporated herein by reference. Any condition found to violate this section shall be deemed to constitute a separate offense on each day during which it exists after the giving of notice to the violator.
- ~~e.~~ Fines may also be levied under other applicable laws and ordinances such as Americans with Disabilities Act.

Finally, the following is inserted in to the Municipal Fee Schedule at the end:

**XXX. Cost of utilization of the Public Way**

Use of the Public Way – Sidewalk	\$0
Use of the Public Way – All Except Sidewalks <del>Public Way – Street (“Parklet”)</del>	<p><b>For application:</b>  <del>\$0 through 12/31/2031</del>  then \$100 per application thereafter.  <u>(waived through 12/31/2023)</u></p> <p><b>For use:</b>  <del>\$5/square foot through 12/31/2023</del>  then \$8/square foot  <del>thereafter (\$5/square foot through 12/31/2023)</del></p>
Outdoor Dining in a Park	<del>150% of the Public Way – Street (“Parklet”) rate shown above</del>

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Councillor James J. McCauley

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Councillor Byron J. Lane

**In City Council October 12, 2021:**

Motion to refer to Ad Hoc Committee on Economic Development by Councillor Vogel, seconded by Councillor McCauley. Roll call vote. 9 yes, 2 absent (JD, CW). Motion passes,

**In City Council December 13, 2021:**

Motion to invoke Rule 7H to move to next City Council Session by Councillor Zeid, seconded by Councillor Lane. Roll call vote. 11 yes. Motion passes.

**Committee Item March 14, 2022**  
**Neighborhood & City Services**

ODNC00106\_02\_14\_2022

CH2 COA Ordinance Amendment



**Sec. 2-82. Terms of appointees.**

~~Initially, members shall be appointed to terms in the following manner:~~

~~Two (2) members shall be appointed for a one-year term.~~

~~Two (2) members shall be appointed for two-year terms.~~

~~Two (2) members shall be appointed for three-year terms.~~

~~Two (2) members shall be appointed for four-year terms.~~

~~Three (3) members shall be appointed for five-year terms.~~

~~As the term of each member expires, Members shall be appointed their successor shall be appointed for a term of five ~~three~~ (35) years. Terms shall expire on the last day of May. No member may serve for more than three (3) consecutive terms. A member may be reappointed for successive terms.~~

**Sec. 2-85. Coordinating, carrying out programs.**

It shall be the duty of the council on aging to coordinate or carry out programs designed to meet problems of the aging in coordination with programs of the council on aging established under M.G.L. c. ~~406~~, § ~~8B73~~.

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Councillor Afroz K. Khan

**In City Council February 14, 2022:**

Motion to refer to Neighborhood and City Services by Councillor Zeid, seconded by Councillor Lane.  
So voted

# Planning & Development

## March 14, 2022

### *In Committee:*

- APPT00301\_02\_28\_2022 Jamie Pennington 8 Buck St. Planning Board 3/1/2027
- APPT00302\_02\_28\_2022 Andrew F. Bernhardt 35 Oakland St. Historical Comm. 3/1/2025



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
SEAN R. REARDON, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 FEB 15 PM 1:19

60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the City Council

From: Sean R. Reardon, Mayor

Date: February 22, 2022

Subject: Appointment

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I hereby appoint, subject to your approval, the following named individual as a member of the Planning Board. This term will expire on March 1, 2027.

Jamie Pennington  
8 Buck Street  
Newburyport, MA 01950



Jamie Pennington  
8 Buck St, Newburyport, MA  
617-733-1833  
jpenn@alum.mit.edu

January 14, 2021

Mayor Sean Reardon  
City of Newburyport  
60 Pleasant Street  
Newburyport, MA 01950

Via email to: [dmusumeci@cityofnewburyport.com](mailto:dmusumeci@cityofnewburyport.com)

Dear Mayor Reardon,

Following Chair Sontag's guidance and after a break from my tenure on the Newburyport ZBA, I am writing to express my interest in joining the Newburyport Planning Board. I recently met with Chair Sontag and Rick Taintor and they support my pursuit of this position.

Please find my resume attached for your consideration.

I would be happy to meet or call to discuss.

Thank you,



Jamie Pennington

Cc: Bonnie Sontag  
Rick Taintor  
Andy Port

## Jamie Pennington

8 Buck St, Newburyport, MA  
617-733-1833, jpenn@alum.mit.edu

summary	Multi-disciplined real estate professional, trained as an architect and with a focus on housing and portfolio management	
experience	<b>Director of Portfolio Strategy</b> <b>Director of Acquisitions and Development</b> <i>Beacon Communities, Boston, MA</i>	since 2019 2015-2019
	<b>Owner</b> <i>Boston Apartment Advisors</i>	since 2009
	<b>Managing Director</b> <i>R.J. Finlay &amp; Co., Nashua, NH</i>	2009-2014
	<b>Development Manager</b> <i>Criterion Development Partners, Dallas, TX/Waltham, MA</i>	2005-2009
	<b>Project Manager</b> <i>Raymond Property Company, Boston, MA</i>	2002-2005
	<b>Early Development Work and Architectural Practice</b> <ul style="list-style-type: none"><li><i>Childs Bertman Tseckares (CBT) Architects, Boston, MA</i></li><li><i>Carpenter &amp; MacNeille Architects and Builders, Beverly Farms, MA</i></li><li><i>Clark Borins/Oxbow Development, Boston, MA</i></li><li><i>DiMella Shaffer Architects, Boston, MA</i></li></ul>	1996-2001
teaching	<ul style="list-style-type: none"><li>Massachusetts Institute of Technology <i>Instructor 2003-2009, Adjunct Professor 2006</i></li><li>Wentworth Institute of Technology <i>Adjunct Professor</i></li></ul>	2003-2009 2001
education	<ul style="list-style-type: none"><li>Massachusetts Institute of Technology <i>Master of Science, Real Estate Development (MSRED)</i></li><li>Montana State University <i>Bachelor and Master of Architecture (BArch and MArch)</i></li></ul>	2002 1996
other	<ul style="list-style-type: none"><li>Mentor, Mel King Institute &amp; Project Destined</li><li>Co-Chair, MIT Real Disruption Conference Series</li><li>Member, Newburyport Zoning Board of Appeals</li></ul>	since 2018 2015-2017 2006-2017

- Registered Architect, NCARB/Massachusetts since 1999



CITY OF NEWBURYPORT  
OFFICE OF THE MAYOR  
SEAN R. REARDON, MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA  
2022 FEB 16 AM 8:43

60 PLEASANT STREET - P.O. BOX 550  
NEWBURYPORT, MA 01950  
978-465-4413 PHONE  
MAYOR@CITYOFNEWBURYPORT.COM

To: President and Members of the  
City Council

From: Sean R. Reardon, Mayor

Date: February, 2022

Subject: Appointment

-----  
I hereby appoint, subject to your approval the following named individual as a member of the Historical Commission. This term will expire on March 1, 2025.

Andrew F. Bernhardt  
35 Oakland Street  
Newburyport, MA 01950

ANDREW F. BERNHARDT

35 Oakland Street Unit 2

Newburyport MA 01950

Cell 508-254-2543

[Leanbernhardt@gmail.com](mailto:Leanbernhardt@gmail.com)

## QUALIFICATIONS SUMMARY

Past Director of the Toyota Production System, with extensive knowledge and experience in leadership, including the Toyota Production System, Theory of Constraints, and Six Sigma Black Belt, with a demonstrated record of increasing productivity, quality and profitability.

Experienced multi dimensional business executive who grew and maintained an innovative plastic manufacturing business, which was profitably sold to the Reynolds Metals Company an Alcoa Business. Business acumen includes in depth knowledge of advanced systemic process of Lean Black Belt Six Sigma and advanced change management skills that have enabled continuous improvement cultures that also led to a Shingo Medallion at an aerospace manufacture.

**2005-Present, General and Interim Lean Management Senior Consultant, Major Clients Include: Dept of Environmental Quality Arizonian, Tinker Air Force Base, Barnes Aerospace, Barnes Industrial, Textron Bell Helicopter, Textron Systems, Tecomet, Sabert, Sealaska, Endo Pharmaceuticals, Mallinckrodt, Carpenter Steel, Q Holdings**

Consulting major companies worldwide, including aerospace, steel, medical, pharmaceutical, government, contract assembly, oil and gas and complex discrete OEM manufactures on Lean Transformation.

**“Government doesn’t have to be broken” — Governor Ducey**

ADEQ’s transformation over the past decade has reduced waste in the agency and helped improve services to their customers, furthering the mission to protect and enhance public health and the environment of Arizona. Please note Metrics: <https://www.azdeq.gov/ams>

Increased throughput by 28% with no additional capital or labor spending at an aerospace manufacture. Top line revenue grew by eighteen million dollars and improved delivery performance from a meager fifty percent to above ninety percent (within one year). Was recognized by a major customer (GE Aviation) for the rapid improvement and cultural lean transformation. Thereafter the client continued in the improvement process and is the winner of The Shingo Medallion.

25% reduction in labor through attrition with increased output resulting in equaled production prior to reduction. Reduced 1.2 million dollars of yearly payroll at oil and gas manufacture

Implementation of make to order production cells at a contract manufacturer, producing to customer demand. Fifty percent reduction in cycle time, and work cell redesign. All resulting in improved customer service and reduction of cost, and inventory.

As interim plant manager hired and developed local mechanical engineer to act as plant operations manager. It was an easier transition and eliminated risk of destroying new culture and at least 200K of savings. Reduced upper level management team from 8 to 3. Costly salaries and non-value-added work eliminated

Developed risk assessment tool for major pharmaceutical company using the Toyota Production System as the foundation. The supply chain was measured, and action plans were developed to reduce risk and improve performance. Expertise in packaging as well as tablet compression. Implemented a risk reduction process in packaging, but also set up visual factory as well as a daily Gemba walk (real time problem solving). Significant



reduction of non-conformances and no recalls. Introduced an hourly measure for visual OEE in compression. Improved OEE by 16%. This included standard work for change over, reducing set up time by 50%.

**2003-2005, Director of Manufacture (turnaround), Novacel, Inc-A Chargeurs Company, Newton, MA**

Created a culture of performance and utilized tools of the Toyota Production System, including A3's (project management or Hoshin Kanri) to set management direction and metrics to improve the business.

Established a "visual plant" scorecard. With fewer employees, improved coating productivity by 16% and blow film extrusion productivity by 44%, leading to break even with less revenue, in one year.

Increased coating speeds by 35%, reduced waste 13%, and more than doubled revenue generated. Achieved \$7M improved output per year. Reduced labor dollar to unit of performance by 17%

**1999-2003, Director of Alcoa Business System and Quality (Toyota Production System), and Director of Plastics, Reynolds Food Packaging an Alcoa Business, Richmond, VA**

Direct and implement Alcoa Business System, (Toyota Production System), at 11 newly acquired and existing plastic, aluminum and paper manufacturing plants in Canada and the US, (\$550M in annual revenue). Introduced the Toyota Production System to newly merged business within three months time. Initiated seven pilot flow paths with defined targets. The fastest in Alcoa history.

Designed initial training materials, standard learning's, and expectations for eleven sites. This included the use of A3's management, problem statement, current and future state, activities and metrics to achieve those goals

Led the turnaround of a Reynolds food packaging operation, which had lost money for five consecutive years. Standardized operations including standard work and improved quality. Implemented seasonal buffer plan that reduced inventory by 25% and improves ROI to 16%. Achieved a \$2M profit turnaround on a \$50M business without revenue growth.

Prevented the loss of a market share valued at \$50M annually by re-engineering the manufacturing processes. Performed market and lead operations analyses including negotiations and due diligence in support of the \$800M acquisition of Ivex Corporation by Alcoa Corporation

**1978-1999, Owner, Qualitad Plastics, Rutland, VT Sold Business to Reynolds Food Packaging an Alcoa Business**

Directed all phases of three plant and equipment expansions enabling company to remain competitive and profitable

Created a new, innovative product line to replace a mature product offering by launching Quali-Dine®, microwave packaging, increasing revenue 100%. Competed against large conglomerates. Nimble enough to find points of product quality and service to maintain most of these accounts throughout the years.

Significantly increased return on investment from 8% to 33% over a 5-year period. Negotiated the profitable transaction after increasing sales volume within three years of Qualitad to Reynolds Food Packaging an Alcoa Business.

**EDUCATION**

B. S. - Business, University of New Hampshire – Durham, NH  
Black Belt Six Sigma, Villanova University

Mayor Reardon  
City of Newburyport  
60 Pleasant St.  
PO Box 550  
Newburyport, MA 01950

2/7/22

Mayor Reardon:

I am interested in volunteering for a role in the Historical Commission. I have recently moved to Newburyport and retired from being a full-time process improvement senior consultant. I have consulted in many industries but also included a three-year government transformation for the Arizona Department of Environmental Quality. The agency is recognized for its lean transformation as well as significant environmental good, within a state that does not always align with progressive actions.

My wife and I moved to Newburyport for its community, beauty, and nature. Surely, I am hopeful that this is maintained. I also appreciate the history of our town, and this includes the abolition movement, as well as maritime history. I like to learn more, and this comprises local government process.

I have been on both sides of the development issues. This includes green field manufacture plants for Alcoa and my own business. I have also seen failures in my past residences (Rutland Vermont) that did not assure proper growth.

I hope you consider me for this role, and I expect that I will add value. I have also included my resume and you will see my accomplishments.

Regards  
Andrew Bernhardt  
35 Oakland Street  
Newburyport, MA 01950  
508-254-2543

# **Committee Items-**

## **Public Safety**

### **March 14, 2022**

*In Committee:*

- ODNC00107\_02\_28\_2022 15 Minute Parking Spaces
- ORDR00321\_02\_28\_2022 An Act Authorizing the Continued Employment of Officer Vorderis
- ORDR00323\_02\_28\_2022 Route 1 Speed Limit



# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

February 28, 2022

## AN ORDINANCE TO ADD 15 MINUTE PARKING SPACES IN DOWNTOWN

Be it ordained by the City Council of the City of Newburyport as follows:

THAT Chapter 13 Article IV of the Code of Ordinances, City of Newburyport, Massachusetts, is hereby amended to read as follows, with ~~deletions double-stricken and italicized~~, and additions double-underlined and italicized:

### Sec. 13-176.2 – Same – Fifteen minutes.

No person shall park any vehicle for longer than fifteen minutes on the following described streets or parts thereof:

<i>Street</i>	<i>Extent</i>
<u><i>Liberty Street</i></u>	<u><i>Two spaces on the westerly side immediately before State Street.</i></u>
<u><i>State Street</i></u>	<u><i>One space on the easterly side opposite Pleasant Street after the crosswalk and before the nubbin.</i></u>
<u><i>State Street</i></u>	<u><i>One space on the westerly side after Prince Place and the fire hydrant</i></u>
<u><i>Pleasant Street</i></u>	<u><i>One space on the southerly side immediately before Hale's Ct.</i></u>

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Councillor James McCauley

**In City Council February 28, 2022:**

Motion to refer to Public Safety by Councillor McCauley, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.

# CITY OF NEWBURYPORT



## IN CITY COUNCIL

**ORDERED:**

February 28, 2022

### AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO CONTINUE THE EMPLOYMENT OF POLICE OFFICER CHARLES VORDERIS

SECTION 1. Notwithstanding any general or special law to the contrary, Charles Vorderis, Police Officer of the City of Newburyport, may continue to serve in that position until reaching age 70, the date of his retirement, or the date he is relieved of his duties by the Mayor of the City of Newburyport at his discretion, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. The Mayor may, at the City's own expense, require that Charles Vorderis be examined annually by a physician designated by the Mayor, to determine such physical and mental capability to perform the duties of his office.

SECTION 2. This act shall take effect upon its passage.

---

Councillor James J. McCauley

#### **In City Council February 28, 2022:**

Motion to refer to Public Safety by Councillor Zeid, seconded by Councillor Cameron. Roll call vote. 11 yes. Motion passes.



CITY OF NEWBURYPORT

RECEIVED  
CITY CLERK'S OFFICE  
NEWBURYPORT, MA

2022 FEB 18 AM 10:47

## POLICE DEPARTMENT

MARK R. MURRAY  
CITY MARSHAL

4 GREEN STREET  
NEWBURYPORT, MA 01950

TEL: 978-462-4411

FAX: 978-462-0396

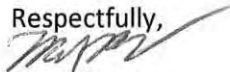
February 18<sup>th</sup>, 2022

To: City Council  
From: City Marshal Mark Murray  
Re: Officer Charles Vorderis

Dear Council Members,

I write to you on behalf of Officer Charles Vorderis. Officer Vorderis is requesting a home rule petition which would allow him to continue his employment with the Newburyport Police Department after he reaches his age of 65. Officer Vorderis is one of the most respected Officers within the department and also in the community. Hiring police officers has become more difficult with fewer applicants. I know Officer Vorderis will continue to represent the Newburyport Police Department with professionalism and enthusiasm, I fully support officer Vorderis.

Respectfully,

  
Mark Murray  
City Marshal

*Excellence In Policing Through Superior Service*

# CITY OF NEWBURYPORT



IN CITY COUNCIL

**ORDERED:**

February 28, 2022

## **Resolution Calling for the Posting of Reduced Speed Limits Along Route One through Newburyport**

Be it ordained by the City Council of the City of Newburyport as follows:

**WHEREAS**, the City of Newburyport has adopted a so-called “Smart Growth” zoning district around the MBTA Commuter Rail Station, Route One Traffic Circle and transportation corridor, consistent with state goals for more densely populated transit-oriented residential and mixed-use development in close proximity to said Commuter Rail Station;

**WHEREAS**, the stated purposes of said “Smart Growth” District include:

1. Providing an alternative to automobile-oriented development patterns with a focus on *“pedestrian-oriented design and connectivity”*; and
2. The establishment of a *“walkable and vibrant new transit-oriented neighborhood with decreased dependence on the automobile;”* and

**WHEREAS**, two substantial residential and mixed-use development projects have already been permitted or built within said “Smart Growth” District, with another in permitting at this time, directly fronting on the Route One corridor, increasing vehicular and pedestrian activity in this area associated with approximately 253 new residential units; and

**WHEREAS**, a full buildout of Newburyport’s 40R “Smart Growth” District would result in 539 new units of housing pursuant to M.G.L. Chapter 40R, with associated vehicular turning movements and pedestrian crossings increasing throughout the District and Route One corridor accordingly; and

**WHEREAS**, the recent 2021 Massachusetts “Housing Choice” legislation, and related Department of Housing and Community Development (DHCD) guidelines, call for additional local zoning measures in the next few years to increase permissible housing density in this area in order to remain eligible for certain state grant funds; and

**WHEREAS**, the compact and otherwise walkable Hillside Center for Sustainable Development neighborhood has direct vehicular connection to the Route One corridor just south of downtown Newburyport and north of the “Smart Growth” District; and

**WHEREAS**, it is well evidenced that high speed vehicular traffic contributes adversely to the both number and severity of traffic accidents, including injury and death; and

**WHEREAS**, the narrow proximity between vehicular travel lanes and adjacent concrete abutment and retaining walls effectively preclude the safe movement of vehicles at high speed through narrow passages and under bridges in the area of High Street, Washington Street and Merrimac Street; and

**WHEREAS**, the Massachusetts Department of Transportation (MassDOT) already plans to merge travel lanes for a safer rotary design within the City’s “Smart Growth” District during the next few years, effectively reducing speed limits for all practical purposes; and

**WHEREAS**, MassDOT’s Route One Rotary redesign includes a prominent proposed new Shared Use Path crossing of the Route One traffic corridor; and

**WHEREAS**, it is the intention of the City of Newburyport to encourage truly walkable, pedestrian-oriented neighborhoods both throughout the City and specifically abutting the Route One corridor;

**THEREFORE, BE IT RESOLVED** that the Council hereby:

1. Requests that MassDOT update applicable regulations, speed restrictions and signage as necessary to facilitate a reduction of speed limits to 35 m.p.h. continuous along the length of Route One through Newburyport; and
2. Requests that the Mayor and Director of Planning & Development forward a copy of this Resolution, upon its passage, to the MassDOT Highway Division and District 4 Administration, along with any other related documentation relevant to and in support of this request; and
3. Requests that the Mayor and Director of Planning & Development report back to the Council regarding the status of this request, MassDOT’s response thereto, and any additional actions recommended in relation thereto, no later than June 30, 2022.

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Councilor Jennie L. Donahue

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Councilor James J. McCauley

**In City Council February 28, 2022:**

Motion to refer to Public Safety by Councilor Donahue, seconded by Councilor McCauley . Roll call vote. 11 yes. Motion passes.



**March 14, 2022**  
**Committee Items Rules Committee**

ODNC00108\_02\_28\_2022 City Council Meeting Start Time to 7 pm

ORDR00316\_01\_10\_2022 Amended City Council Rules 2022

# CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

February 28, 2022

## AN ORDINANCE TO AMEND THE MUNICIPAL CODE WITH RESPECT THE START TIME OF THE CITY COUNCIL MEETINGS

Be it ordained by the City Council of the City of Newburyport as follows:

*Amend Section 2-27 – Time and Place of Meetings as follows, with deletions ~~double-stricken~~ through in bold, and additions double-underlined and in bold:*

Sec. 2-27. – Time and place of meetings

- (a) All meetings of the city council shall be held at the council chamber in city hall in the city 7:00 ~~7:30~~ p.m., except as hereinafter provided.

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Councillor Heather Shand

### **In City Council February 28, 2022:**

Motion to refer to Rules by Councillor Vogel, seconded by Councillor Zeid. Roll call vote. 11 yes. Motion passes.

# CITY OF NEWBURYPORT



## IN CITY COUNCIL

### ORDERED:

### NEWBURYPORT CITY COUNCIL RULES (2022)

*Proposed Amendments as follows, with deletions ~~double-stricken-through-in-bold~~, and additions double-underlined and in bold:*

### PURPOSE

Pursuant to the City of Newburyport Home Rule Charter (Charter), except as otherwise provided by the General Laws of the Commonwealth of Massachusetts (General Laws) or by the Charter, the legislative powers of the City Council of the City of Newburyport (Council) may be exercised in a manner determined by it. The purpose of these rules of the Council (Rules) is to establish in writing the manner in which the Council shall exercise its legislative powers.

### ORGANIZATION

**Rule 1.** No later than December 31 after each regular municipal election, the City Clerk (Clerk) shall provide ~~written~~ notice to each member of the Council for the coming two-year legislative session of the date, time, and place of the first meeting of the Council in the next calendar year, to be known as the Inaugural Meeting.

**Rule 1A.** At the Inaugural Meeting, the Council shall, by majority vote of all its 11 members, notwithstanding any vacancies (Full Council), elect a President from within its membership. The City Clerk (Clerk) shall preside at the Inaugural Meeting until such time as a President is elected. The Full Council shall vote to set the date of its next regular meeting before it may vote to adjourn the Inaugural Meeting.

**Rule 1B.** No later than at its next meeting after the Inaugural Meeting, the Council shall, by majority vote of the Full Council, adopt its Rules for such calendar year.

**Rule 1C.** No later than at its next meeting after the Inaugural Meeting, the Council shall, by majority vote of the Full Council, adopt a schedule of regular meetings of the Council for the remainder of such calendar year.

**Rule 1D.** In the second year of each two-year legislative session, no Inaugural Meeting shall occur. Instead, at its first meeting of such calendar year, the Council shall, by majority vote of the Full Council: (1) elect a President from within its membership; (2) adopt its Rules for such calendar year; and (3) adopt a schedule of regular meetings of the Council for the remainder of such calendar year.

## MEETINGS

**Rule 2.** Council meetings shall be held in the Council Chamber of City Hall or as a hybrid meeting, unless the President, or a majority of the Full Council, determine by any means reasonable and practicable, and give written notice to all members, that such meeting will be held in an alternate location or as a remote meeting.

**Rule 2A.** Special meetings of the Council shall be held at the call of the President, or any six (6) or more members, for any lawful purpose, by causing a notice of such special meeting to be delivered in hand or by email to ~~the place of business or~~ residence of each member. This notice shall, except in an emergency of which the President shall be the sole judge, be delivered at least forty-eight (48) hours in advance of the time set, and shall specify the purpose or purposes for which the special meeting is to be held. The Clerk shall cause a copy of each such notice to be posted immediately, including on the City's Website, in accordance with applicable laws.

**Rule 2B.** If any meeting of the Council is in session at 10:30 ~~11:00~~ pm, said meeting shall be adjourned until 7:30pm of the following evening, unless another date and time is voted by a majority of the Full Council. The regular Council meeting shall start at 7:00 pm.

## HOLIDAYS

**Rule 3.** Except as otherwise provided in the Charter, whenever the day set by these Rules for any meeting of the Council, regular or special, shall fall upon a holiday, then such meeting shall be canceled or postponed to a date certain by majority vote of the Full Council.

## PRESIDING OFFICER

**Rule 4.** The President, if present, shall preside at all meetings. In the absence of the President, the senior-most member in terms of consecutive, uninterrupted service on the Council shall serve during the absence of the President. If more than one member has served the same length of time, the Council shall elect a President Pro Tem by majority vote from the most senior Councillors in terms of consecutive, uninterrupted service on the Council.

## DUTIES AND POWERS OF THE PRESIDING OFFICER

**Rule 5.** The presiding officer shall: preserve decorum and order; speak to points of order in preference to other members; decide all questions of order, subject to appeal to a super-majority of the Full Council; declare all votes, or permit the Clerk to do so; and perform any other duties consistent with the office that may be provided by charter, ordinance, or by other vote of the Council.

**Rule 5A.** If any member doubts a vote as declared, the presiding officer, without further debate on the question, shall require that a count be taken by roll call of the membership.

**Rule 5B.** During any meeting, whether regular or special, the presiding officer may, at any time, call for a five-minute recess.

## RELINQUISHING THE CHAIR

**Rule 6.** When the presiding officer desires to relinquish the Chair, ~~he or she~~ they may call upon any Councillor to take the Chair, but such call to the Chair shall not continue beyond the will of the presiding officer so relinquishing the Chair, or beyond an adjournment of the Council, except as hereafter provided. If the presiding officer wishes to express an opinion on any subject under debate, they shall relinquish the Chair as above provided, and shall not resume the Chair until they are ~~he or she is~~ through speaking, and all points of order arising therefrom have been decided by the Councillor presiding in their ~~his or her~~ place. Notwithstanding the foregoing, the presiding officer may, however, state facts and give opinions upon questions of order without relinquishing the Chair.

## COMMITTEES AND COMMITTEE BUSINESS

**Rule 7.** The President shall appoint all members to all City Council Committees, both standing and ad hoc, designate the Chair of each such Committee, who shall serve as its presiding officer, and fill any vacancies thereon as they arise. Likewise, the President may establish, dissolve, and/or reconfigure ad hoc Committees in ~~his~~ her discretion, provided that such ad hoc Committees shall be re-established each two-year legislative session. Ad hoc committees may include members other than members of the Council for purposes of deliberation, but they may not vote. Except as otherwise provided in Rule 12, the Council shall, by a majority vote, refer each matter newly introduced through the Council agenda (Agenda) to a single Committee, either standing or ad hoc, for review at a public meeting of such Committee, before such matter may be acted upon again by the Council. Notwithstanding the foregoing, a Councillor may make all parliamentary motions, including a motion to receive and file the newly introduced matter.

**Rule 7A.** Pursuant to the Newburyport Code (Code), there shall be nine (9) standing committees of the Council, as follows, each consisting of three (3) members of the Council, and concerned with the matters specified for it in the Code:

- Committee on Budget & Finance
- Committee on Education
- Committee on General Government
- Committee on Licenses & Permits
- Committee on Neighborhoods & City Service;
- Committee on Planning & Development
- Committee on Public Safety
- Committee on Public Utilities
- Committee on Rules

**Rule 7B.** Except as provided expressly otherwise in these Rules, a matter shall not be referred to more than one Committee, either separately or jointly, nor may a matter be referred to the Full Council sitting as the Committee-of-the-Whole except by super-majority vote.

**Rule 7C.** Committees may meet at any time, in open and/or executive session, at any place within the City of Newburyport, subject to the Massachusetts General Laws, the City Charter, and the Newburyport Code.

**Rule 7D.** Committees shall meet and review each matter referred to them by the Council no later than thirty (30) ~~fifteen (15)~~ calendar days after such referral.

**Rule 7E.** Committee meetings ~~shall~~ may be cancelled when scheduled during any time when a declared snow emergency is in effect.

**Rule 7F.** During a meeting of the Council, the Chair of a Committee, whether regular or ad hoc, may remove any matter from such Committee to bring it to the floor for discussion by the Council, upon making a motion to do so, receiving a second from any other Councillor, regardless of Committee membership, and upon affirmative vote of the Full Council. Once such matter is before the Council (on the floor), any Councillor may then make a motion regarding such matter to approve it, not approve it, or refer it back to the original or to another Committee, and all parliamentary rules, including motions to amend, to table, and so on, shall be available, subject to these Rules.

**Rule 7G.** In the event that either: (a) the Committee has failed to meet and review a matter within the required 30 ~~45~~ days under Rule 7D; or (b) the Chair of a Committee has failed to remove any matter from such Committee after (6) weeks of its original referral to such Committee, such matter may be removed from such Committee to bring it to the floor for discussion by the Council, provided that a petition signed by no fewer than two Councillors has been filed with the City Clerk- with copies to both the President and the relevant Committee Chair -- in accordance with Rule 16.

**Rule 7H.** Any matter that remains in Committee at the end of the Council's two-year legislative session shall die, unless a majority of the Full Council votes at its last meeting of such session to carry such item into the succeeding session. Any item that remains on the table at the end of the Council's two-year legislative term shall die, and may not be carried on.

**Rule 7I.** For any Committee item relating to the disposition of any real property, including, without limitation, purchase or sale, an appraisal of the fair market value of said real property, performed by a duly licensed professional based upon the requirements and guidelines of the current Uniform Standards of Professional Appraisal Practice (USPAP), shall be presented to the Council no fewer than seven (7) calendar days before such Committee item can be brought to the floor. The appraisal must be dated within twelve (12) calendar months of the date the relevant item is removed from Committee. The appraisal may be presented in Executive Session and/or may otherwise remain confidential in accordance with the City's Charter, and applicable law.

**Rule 7J.** Any Measure to authorize the issuance of a bond in an amount over \$500,000 shall not be removed from the committee to which it is first referred until the greater of thirty (30) calendar days or one (1) regular meeting of the City Council has elapsed since such referral.

### **SUFFICIENCY OF VOTE**

**Rule 8.** The affirmative vote of a majority of the members present shall be sufficient to adjourn any meeting of the Council or its Committees.

**Rule 8A.** Except as expressly provided in these Rules, the affirmative vote of a majority or super-majority, as may be required by law, of the Full Council, rather than of the quorum present, shall be required to adopt any ordinance, order, or other vote or proceeding adopted, or which might be adopted

(Measure). Consistent with the Charter, Measures include, without limitation, all transfers, expenditures, and acceptance of funds, which shall be put into effect by an order of the Full Council.

### **MANNER OF VOTING**

**Rule 9.** The Council and each of its Committees, standing and ad hoc, shall vote at a duly noticed public meeting, unless otherwise permitted under the Open Meeting Law.

**Rule 9A.** A vote to confirm Mayoral Appointments on a second reading shall be by roll call of the Full Council.

**Rule 9B.** Approval of any ordinance shall require two (2) readings and two (2) roll-call votes to be held at separate City Council meetings, while approval of any other Measure requires one (1) reading and one (1) vote, which, except in the case of bond order, may be by voice vote. Amendments to any motion to approve, not approve, or to refer back to Committee may be recorded by voice vote, including such parliamentary motions in regard to an ordinance. Following its passage on first reading, such ordinance shall be timely posted to the City's Website, as defined in the Charter, in a manner prescribed by the City Clerk. Notwithstanding the foregoing, pursuant to the Charter, votes regarding Mayoral Appointments shall be treated specially under Rule 20.

**Rule 9C.** At the Inaugural Meeting, the Clerk shall begin the order of roll-call voting throughout such meeting with that Councillor whose last name is first in alphabetical order. At each successive meeting that requires a roll call vote or votes, the Clerk shall begin roll calls throughout such meeting with the Councillor whose last name follows the previous Councillor in alphabetical order until the last meeting of the two-year legislative term. Notwithstanding the foregoing, the Clerk shall, for all votes at all meetings, call the President to vote last.

**Rule 9D.** In the event that a member of the Council or one of its Committees wishes to have his or her vote recorded differently after announcement of the results of a roll call vote by the Clerk or presiding officer, the member must receive unanimous consent from every other present member of the Council or the Committee, as the case may be.

**Rule 9E.** A motion to table once seconded is not debatable, but clarifying points of information shall be allowed for the purpose of understanding the effects of such proposed tabling.

### **GAINING THE FLOOR**

**Rule 10.** All Councillors, when desiring to speak on a matter, shall raise their hands and respectfully address the President, and wait until recognized by the presiding officer.

**Rule 10A.** Once recognized by the President, the Councillor shall stand to speak on the matter. A Councillor shall remain standing while speaking, and shall sit down to indicate to the President the conclusion of the Councillor's speech.

**Rule 10B.** No Councillor shall speak a second time on any motion until each Councillor has the opportunity to speak once, however the President may permit a Councillor to speak out of turn to respond to questions directed to ~~them~~ him or her by another Councillor.



**Rule 10C.** In speaking, members shall at all times confine themselves to the motion in order, shall use parliamentary language and appropriate demeanor, and shall strive to refer to all other members by their ward or as an At-Large Councillor, or as the Chair or a member of a particular Committee, etc., rather than by their first or last names.

**Rule 10D.** No member shall leave a Council or Committee meeting while it is in session to seek or accept counsel, nor may such member while away from such meeting exchange information pertaining to an item on the meeting agenda, nor to conduct any other city business.

**Rule 10E.** The Council President and Committee Chairs, as the case may be, shall have the responsibility and discretion for recognizing speakers other than Council or Committee members. Any member of the Council or a Committee may request of the presiding officer recognition of a speaker other than a member, but the presiding officer's determination whether to grant such recognition shall not be appealed.

### **SPONSORSHIP OF MATTERS**

**Rule 11.** With the sole exception of a Mayoral Appointment, as described in Rule 20, no Measure or other matter beside a Communication, of any kind, shall be placed on the Agenda by any City official or other person, including, without limitation, the Mayor, nor may it be acted upon by the Council, unless it is sponsored by a member of the Council. Each such matter carried over from a previous, two-year legislative term must be sponsored by a current member of the Council.

**Rule 12.** Except in the case of an Emergency Measure, as regulated under the Charter, the Council shall not pass or otherwise adopt any Measure until it has first been reviewed at a public meeting of a Committee in accordance with Rule 7.

**Rule 12A.** Failure of by any person, including, without limitation, an applicant or a city official, to meet a deadline, specified by law, regulation, or rule shall not constitute an Emergency. For example, and without limitation, the Council shall not approve a license or permit, or otherwise authorize, any person to use public property for a road race or other event by Emergency Measure solely because such event is scheduled to occur before the Council's next meeting.

**Rule 12B.** Pursuant to the Charter, no Measure making a grant, renewal, or extension, whatever its kind or nature, or a franchise or special privilege, shall be passed as an emergency measure, and, except as provided by the laws of the Commonwealth, no such grant, renewal, or extension shall be made otherwise than by ordinance.

**Rule 12C.** Pursuant to the Charter, an Emergency Measure shall become effective immediately upon its adoption without signature by the Mayor, or at such later time as the emergency measure expressly provides.

**Rule 12D.** In the event that a sponsor of any Measure or other matter is not present physically or telephonically at a meeting of the Council when the Clerk reads such Measure or other matter, then the Council shall not consider such Measure or other matter, unless all sponsors of such measure have presented a written statement requesting the Council to proceed in the absence of such sponsor.

## WITHDRAWING ITEMS FROM THE AGENDA

**Rule 13.** After a Measure or other matter is reached on the Agenda and read aloud by the Clerk, it shall be deemed to be in possession of the Council, and shall be disposed of in some matter by vote. At any time prior to a Measure or other matter being brought before the Council through such reading, it may be withdrawn provided all sponsors so notify the President or the Clerk.

## RECONSIDERATION

**Rule 14.** Notwithstanding Rule 9D, after a vote has been taken on a Measure or other matter, it shall be in order for any member voting with the prevailing side to move reconsideration thereof at the same meeting at which the vote was taken, and such motion shall be disposed of accordingly. Alternatively, such member may file with the Clerk, not later than noon of the next business day following such meeting, written notice of a motion to reconsider such vote. After receiving such written notification from a member, the Clerk shall place the motion for reconsideration on the Agenda for the next regular meeting of the Council, and the Clerk shall forthwith, either verbally or in writing, notify the Full Council of such filing.

## DUTIES OF THE CLERK

**Rule 15.** The Clerk shall attend and keep all records of all meetings of the Council, shall record the names of the members present, shall record the vote of members on roll calls, and shall have the care and custody of the City records, and all documents, plans, and papers pertaining to the business of the Council. The Clerk shall also, at the request of a member, assist in the drafting of items to be presented at the meetings of the Council. The Clerk shall cause notice to be made to each Councillor of each meeting of the Council, regular and special, and of Committee meetings, and shall also post notice on the City Website at least 48 hours prior to commencement.

## DEADLINE FOR AGENDA ITEMS

**Rule 16.** Printed materials regarding any matter, including, without limitation, the full text of new Measures, to be considered by the Council at its next regular meeting shall be presented in complete form to the Clerk not later than 9:00 am on the Wednesday ~~4:00pm on the Tuesday~~ preceding such regular meeting. Notwithstanding the preceding sentence, not later than 4:00pm on the Wednesday preceding a regular meeting, Committee Chairs shall submit to the Clerk the text of any Measures they intend to remove from Committee and put into the possession of the full Council. Except as otherwise provided under Rule 18A, papers presented after these times shall be considered Late-Filed Items, which shall not be taken up without a suspension of these Rules, which requires a super-majority vote of the Council. The provisions of this Rule 16 apply to all persons, and in all cases, without exception, including to all members and other City officials, such as the Mayor and Department heads, as well as the public.

## AGENDA AND PACKET

**Rule 17.** For each meeting of the Council, the Clerk in consultation with the President shall compile the Agenda of all matters to come before the Council at such meeting, in accordance with the order of business listed below, and shall make available to the public such Agenda and all supporting documents (together, Packet) to be considered by the Council by 5:00 pm of the fourth (4<sup>th</sup>) calendar day prior to such meeting; provided, however, that in the case of a special meeting the Agenda shall be made available as otherwise provided by law

and these Rules, and no Packet shall be required. The Clerk shall cause a printed copy of the Packet to be delivered to each Councillor by their individually preferred means, and to be posted on the City Website at least 48 hours prior to commencement.

Items that are to be added to the Agenda as Late-Filed Items must be submitted for approval to be placed on the Agenda immediately following the Call to Order.

The order of business for the Agenda shall be as follows:

1. Moment of Silence
2. Pledge of Allegiance
3. Call to Order
4. Late-Filed Items
5. Public Comment
6. Proclamations
7. Mayors Comment
8. Consent Agenda
  - a) Approval of Minutes
  - b) Communications (including Applications)
  - c) Orders (including Transfers/Appropriation Orders) and Resolutions
  - d) First Reading of Mayoral Appointments
7. Second Reading of Mayor's Appointments
8. Communications
9. Orders (including Transfers/Appropriation Orders) and Resolutions
10. Ordinances
11. Committee Reports (including all Measures with any amendments or revisions for the Council to consider)
12. Good of the Order
13. Adjournment

**Rule 17A.** The Consent Agenda shall be reserved for routine and non-controversial matters that may be considered apart from the rest of the Agenda and approved collectively and without debate.

The President has the sole discretion to place matters on the Consent Agenda excepting Committee Measures. Pursuant to the deadlines set in Rule 16, Committee Chairs may ask the Clerk to place Committee Measures on the Consent Agenda. This rule shall not be construed to limit or alter other rules relating to removing measures from Committee including, without limitation, Rules 7F and 7G. The retention thereon of any measure in the Consent Agenda is subject to the unanimous consent of the members present when the Council reaches the Consent Agenda during its meeting. Committee items removed from the Consent Agenda shall be handled during the regular agenda under the measure's respective Committee report, under Rule 7F.

The Clerk shall read matters on the Consent Agenda by title only. At any time before the Council acts upon the Consent Agenda, any member of the Council may cause any matter or matters listed upon the Consent Agenda to be removed and then placed into the appropriate portion of the regular Agenda, either by providing written notice to the President and/or the Clerk, or, alternatively, by rising and so requesting by motion. The Council shall then, without debate permitted, vote collectively on all matters remaining on the Consent Agenda, by simple majority of the Full Council. Such vote may be conducted by voice vote at the discretion of the presiding officer.

**Rule 17B.** Supporting copied (paper copy) documents for Council agenda items shall be placed in the packet and provided to Council members only the first time the item is introduced to the Council. Subsequently, as items are taken up for debate, whether in committee or during regular meetings, it shall be the responsibility of each Councillor to have retained the documents for reference. Notwithstanding the foregoing, the electronic version of the packet, posted on the website, shall be complete.

## PUBLIC COMMENT

**Rule 18.** There shall be designated a Public Comment time during each meeting of the City Council. The procedure for this comment time is listed below:

1. Individuals who wish to speak before the Council, whether on their own behalf or on behalf of a group, must sign in on the door of the Council Chamber prior to the start of the Public Comment segment of the meeting. Each speaker must provide his or her name and the address where ~~they he or she~~ ~~he~~ resides permanently (i.e. legal domicile), and indicate which Agenda item ~~they he or she~~ will be speaking on. The President will advise attendees of their right to speak and responsibility to sign-up.
2. Two minutes allotted to each speaker.
3. One opportunity per individual to speak.
4. Comment must be related to an Agenda item.
5. Speakers who are attorneys shall disclose the identity of all clients whose interests are materially affected by the Agenda item upon which they speak.

**Rule 18A.** There shall be designated a Mayor's Comment time during each regular meeting of the City Council. The procedure for this comment time is listed below:

1. To address the Council during the Mayor's Comment period, the Mayor may provide notice to the President at any time prior to the Call to Order.
2. The Mayor will be allowed to speak for a total of seven (7) minutes.
3. The Mayor will be offered reserved seating on the front bench of the Council Chambers
4. Notwithstanding the normal deadline for written materials to be submitted to the City Clerk under Rule 16, the Mayor may submit a written report to the Full City Council not later than 11:00am on the day of the Council meeting, and such report shall not be deemed a Late-Filed item.
5. Nothing in this rule prohibits the Mayor from speaking otherwise in compliance with the Charter and these Rules.

## PRESENTATIONS

**Rule 19.** To be included on the Council Agenda, presentations by individuals or groups must be sponsored by a Councillor ~~in~~ writing pursuant to Rule 16, and approved by the President, in which case such presentation shall be placed in the Communications segment of the Agenda, for a period not longer than twenty (20) minutes.

## MAYORAL APPOINTMENTS

**Rule 20.** Mayoral Appointments do not require sponsorship by a member of the Council, but shall require two (2) readings and two (2) votes by the Council, the second such vote by roll call. For its first reading, each such appointment, including reappointments, shall be accompanied by submittal to the Clerk of the appointee's resume in accordance with Rule 16. The first reading shall be placed in the Consent segment of the Council's Agenda for referral to the Council's next meeting, sitting as the Committee of the Whole.

**Rule 20A.** As with any Consent Agenda item, a single member of the Council may move such item to the regular Agenda. As provided in the Charter, the Council may elect to refer any proposed Mayoral Appointment to a standing or ad hoc Committee, which shall review such appointment and may make a recommendation to the Full Council not fewer than seven (7) nor more than 45 days after such referral. Such Committee may require any person whose name has been referred to it to appear before such Committee, or before the Full Council, to give any information relevant to the appointment that the Committee of the Full Council may require. Notwithstanding the optional referral of proposed appointments provided for in this Rule 20A, appointments and reappointments of the following officers shall always be referred through the Consent Agenda to the standing committee with oversight over such board or commission:

- Members of the Board of Health ~~and Health Director;~~
- Building Commissioner;
- Building Inspector;
- City Auditor/Director of Finance;
- City Librarian;
- City Treasurer;
- Director of the Department of Public Services;
- Members of the Conservation Commission and Conservation Agent;
- Harbormaster;
- Members of the License Commission;
- ~~Members of the Newburyport Redevelopment Authority board;~~
- Members of the Newburyport Waterfront Trust board;
- Members of the Planning Board, Planning Director, and Zoning Administrator;
- Members of the Water and Sewer Commission; and
- Members of the Zoning Board of Appeal.

## MID-YEAR BUDGET REVIEW

**Rule 21.** Each calendar year, the Committee on Budget & Finance shall schedule and hold a public meeting to conduct a Mid-Year Budget Review as soon as practical after six (6) months of actual expenditures are available in written form, but no later than February 28. The Chair of the Committee shall cause the Finance Director to attend, pursuant to the Charter, the Chair shall invite all members of the Council, as well. Pursuant to the Charter, the Chair shall ask the Finance Director to distribute to the Full Council documentation in support of the Mid-Year Budget Review no less than two (2) weeks before such meeting, including a year-to-date actual budget summary. Further pursuant to the Charter, any member of the Council may request that a Department Head be present at the Mid-Year Budget Review meeting, by making a request through the Chair of Budget & Finance.

## ELECTRONIC COMMUNICATION DEVICES

**Rule 22.** The audible use of mobile phones, radios, and other electronic communication devices by any person, including members of the Council, but excepting on-duty public safety officers, is strictly prohibited within the Council Chamber while the Council is in session, and all such devices shall be turned off or otherwise made to be silent.

**Rule 22A.** Members of the Council may read from or listen to or otherwise obtain information from a computer, tablet, or other electronic device within the Council Chamber while the Council is in session, such as by conducting computer searches online.

**Rule 22B.** Except as otherwise permitted under the Open Meeting Law, no member of the Council shall, at any time while the Council is in session, be permitted to communicate with other people, either located within or without the Chamber, using such any electronic device, whether verbally or otherwise, audibly or inaudibly.

## PARLIAMENTARY PRACTICE

**Rule 23.** In all matters of parliamentary practice not provided for in these rules, the Council shall use Robert's Rules of Order as a guide.

## RECUSAL

**Rule 24.** Upon his or her recusal regarding a matter, a member of the Council or a Committee shall leave the room where the meeting is being conducted, and such member shall not be counted as part of the quorum on that matter. Notwithstanding the foregoing, a recused member may, if permitted under applicable law, remain in the room solely if they ~~he and she~~ wishes to give testimony on the matter.

**Rule 24A.** If the matter is to be addressed in open session, then the recusal shall be made orally and shall be included as part of the official public record. The recused member may obtain and review any records of such public discussions and/or action by the Council or Committee on the matter.

**Rule 24B.** If the matter is to be addressed in executive session, then the recusal must be made orally during the open session before the Council or Committee goes into such executive session and shall be included as part of the official public record. A member so recused shall not knowingly obtain or review a recording, minutes, or any other non-public information regarding such matter, other than the fact of his or her own recusal.

## AMENDING THE RULES

**Rule 25.** Any amendment of these Rules shall require successful passage of an order by the Full Council, by simple majority, as provided in these Rules.

**SUSPENDING THE RULES**

**Rule 26.** Except as otherwise, expressly provided in these Rules, a motion to suspend the rules shall require a two-thirds super-majority vote of the Full Council.

\_\_\_\_\_  
Councillor Heather L. Shand

**In City Council January 10, 2022:**

Motion to approve by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes.  
Motion passes

**In City Council January 10, 2022:**

Motion to approve as amended to move the meeting date 9/26/2022 to 9/27/2022 due to Rosh Hashanah by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Richard B. Jones, City Clerk

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